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PRESIDENT'S PAGE

As suggested in my first President's Page, we will let the philosophers wrangle over whether an association is more than the sum of its parts. What we are sure of is that our Association draws strength and inspiration from its ten Chapters. This is a salute to them!

The Chapters' records over the past year are heartening and encourage us to believe that their influence locally and nationally will be increasingly felt. We hope that the national Association will be used by them as a vehicle for ventilating their problems and expressing their views. At the same time we invite the assistance of the Chapters.

AALL has come face to face with some big problems that it can no longer dodge. We hope to find solutions that will serve the best interests of all of us and the libraries in which we serve. The Policy Committee now has the task of piloting a thoroughgoing study for a program of certification or membership standards for members of the profession and qualitative standards for law libraries. This is to be a formidable endeavor and one that should command the wholehearted cooperation from everyone called upon to share the burden.

While the details of the study are proceeding, it would seem advantageous to have exploratory sessions among the various Chapters for sampling ideas and opinions on both subjects. Last year one Chapter devoted an entire meeting to the matter of certification, the recorded findings of which were helpful in planning the panel discussion held in New York last June. To those Chapters that have not planned this year's program already, I would suggest that one or both of those subjects be placed on the agenda with the idea of having the conclusions passed along to the Policy Committee.

On the more routine level, it would seem that the Chapters are the ideal sources through which the national organization's Committees such as those on New Members, Publicity, Publications, Statistics and Directory, Scholarship, etc., might work with considerable profit and in ways that the Chapters might find beneficial as well.

Names of Committee Chairmen which may prove helpful for such interchange of information are listed on pages 450 to 452 of this issue.

FRANCES FARMER

Proceedings of the Fifty-Second Annual Meeting of the American Association of Law Libraries

HELD AT

New York City, June 21-25, 1959

FIRST GENERAL SESSION

Monday, June 22

The First General Session of the Fifty-Second Annual Meeting of the American Association of Law Libraries, held at the Hotel Commodore, New York City, convened 9:30 o'clock, Mr. Ervin H. Pollack, President of the Association, presiding.

PRESIDENT POLLACK: I am very happy to call to order the Fifty-second Annual meeting of the AALL and to greet you at this opening session. You will be welcomed formally by a representative of our hosts at the noon luncheon, but, in anticipation of these greetings, I should like to add a note of welcome on behalf of the officers, the Executive Board and the Greater New York Chapter.

It is customary to begin the initial business meeting with reports of the officers, committees and representatives. A prerogative of the president is to speak first, and it would be out of character if I did not avail myself of this privilege; however, you can derive some comfort in knowing that I will not read my full report. It has been mailed to the members, and you may have read it in advance of this meeting. Regretfully, I did not heed Calvin Coolidge's advice, which was, "If you don't say anything, you won't be called upon to repeat it." Let me, therefore, briefly summarize the major aspects of my report.

The interrelated program of the past year lends itself readily to subdivision into two categories: first, the administrative and substantive structure of the AALL and second, librarian and library standards.

The climate appears favorable for a study of certification of law librarians. Assuming that the principle of certification has merit, every effort should be made to eliminate its deficiencies. An affirmative program should be developed which provides meaningful standards, reflecting controlling conditions and practical prerequisites. Media of self-improvement and education should be provided for those who seek training and who desire to meet qualifying standards.

It is possible that from an analysis of the functions of law libraries a hierarchical system of qualifications could be drafted which might form the basis for a certification system,

with qualifications being measured by education and training in relation to a librarian's duties and to the requirements of the library.

As contemplated, the aim of the plan is neither the disqualification of persons engaged in library duties, nor the restriction of personnel recruitment to a select group, but rather the encouragement of individuals with limited training and experience in developing and advancing themselves through provided instruction.

The true objective of certification should be better library service through intensified training of law librarians. Any educational program ought to be developed in patterns of concentrated excellence to ensure that the certified law librarian is a qualified law librarian. And it goes without saying that every law librarian should be qualified.

A correlative of the certification system is the matter of accrediting libraries. My President's Page, in the November, 1958 issue of the *Law Library Journal*, focuses attention on basic deficiencies of law library categorization and inspection procedures, and suggests need for reform.

A method for the qualitative testing of law libraries ought to be devised which measures institutions by crystallized standards of excellence, reflecting size, structure, clientele, resources, services and staff. If libraries were graded in relation to the fulfillment of each institution's potential, rather than being judged by minimal quantitative criteria, each library would have a guide for improvement of its collection and of its services. Of course, salient quantitative factors must necessarily be weighed, in relation to qualitative criteria, in order that an evaluation be realistic.

I suggest the possibility of voluntary adoption by accredited law school libraries of an invitational survey program, unrelated to accreditation, aimed at the improvement of libraries beyond minimal standards. Under such an arrangement, an experienced visiting librarian could devote several days to surveying and studying an individual library, its problems and its limitations in relation to qualitative criteria. The surveyor could then make informed recommendations for the implementation of the library's collection and services so it could better meet the highest standards and demands of legal education and professional research. The advantages of such objective judgments and recommendations could also be gained by bar association, governmental and other non-law school libraries who desire such surveys.

Obviously, my comments are merely prefatory to the necessary analyses of these difficult problems and are not intended as definitive projections or commitments of the Association. The Executive Board has authorized the Policy Committee to study and evaluate those questions, articulate objectives and offer initial recommendations for the implementation of complete programs.

Preliminary to these studies, panel programs on the topics have been set up for this meeting to gain maximum benefit from other Association experiences and advice and suggestions from the membership.

Under the aegis of the Committee

on Committees and the President-elect, the Association has continued the intensive study of the structure and programs of committees. This year one new device was instituted to coordinate and activate committee-work. Each member of the Executive Board was assigned several committees with which he functions in a liaison capacity. It is the responsibility of an Executive Board member to assist with and encourage committee activity and bring committee recommendations, requiring Executive Board consideration, to the Board, thus ensuring informed presentation to, and prompt attention by, the Board in such matters.

If this reorganized procedure operates effectively, the work of the Board members will obviously increase, possibly necessitating an increase in the size of the Board, perhaps, to six elected non-officer members. Under this arrangement, the functions of the Board might be divided between two committees: (1) a program committee on which the president-elect, as chairman, and four elected non-officer members, might serve; and (2) a ministerial and finance committee, with the past-president as chairman. Its members might be the Secretary, the Treasurer and two elected non-officer board members.

Apart from the advantages of administrative organization and direction, it appears that this arrangement might encourage business-like procedures. If the Association's activities are to increase and its program is to expand, financial resources must be found to make this possible. A concerted, successful effort in this direction by a finance committee could open new avenues of activity and more vigorous programming in established areas.

It has been repeatedly affirmed by past-presidents that the Association requires a full-time executive secretary and a permanent headquarters. Perhaps a finance committee could bring this to reality through the fostering of potential programs, such as profitable publications, cooperative microcopying of out-of-print materials, centralized cataloging, with the use of electronic devices as a possibility, and cooperative production and purchasing of equipment adapted to law library use.

I recommend, therefore, that we proceed immediately with the development of a four-point program, namely:

(1) Study the feasibility of participation and education for law librarians,

(2) Develop a program for qualitative standards for law libraries,

(3) Formulate a plan for centralized cataloging and adapting, where possible, modern mechanical devices and realistic concepts to the law library,

(4) Initiate and activate a publication program. Here the types of publication might be: (a) technical in nature, such as the order manual which was presented to us at the Grossinger Institute, (b) general publications and (c) microcopy of out-of-print publications which have no commercial appeal.

In my full report, several committee activities and projects are given special mention. Time does not permit me to review them again now.

It is a fact that the success of any

association is measured by its effective activity. And the source of activity is committee-work. To the committee members and chairmen, the Executive Board members and the officers of AALL, I extend my sincere thanks. Your devotion to duty identifies you as truly dedicated people. It was my privilege to serve as your president this year. For this honor and for your unstinting cooperation, I am deeply grateful.

Now I will call upon Secretary Fenneberg and ask her if she would like to make any comments relating to her report.

SECRETARY DORIS R. FENNEBERG: I'm not going to make a speech; I'm just going to chide you for not reporting your changes in personnel more frequently. After attending the Institute and this meeting, I find that the cards are shuffled again, and people I thought were on the east coast are now on the west coast, and so on. This means there are a lot of changes to be made in the membership file.

I wish everyone would try to remember to notify the Secretary and the Treasurer concerning new locations, and I suggest that when you write to the Treasurer, please send the Secretary a carbon copy of your letter and vice-versa. Otherwise we have to prepare duplicate notices. Such action would save us correspondence regarding these changes and permit us to perform a little more efficiently in some other line.

Last year I mentioned undesignated memberships. As a consequence, the Committee on New Members conducted a drive with the result that additional members were designated from some institutions where only one person had been assigned under an institutional membership. We enrolled several deans and a few professors because of this. So, if your library, as an institutional member, still has only one designation, please take full advantage of this type of enrollment. I attempted to write to all members on this point, but in the hurly-burly of the last six weeks, with newsletters and committee reports and ballots, I may have overlooked some people. I feel this must be true because I have collected a new batch of membership applications here in New York.

Also, I want to say that if you haven't received a copy of the *Directory* I wish you would drop me a line. Every new member is entitled to a copy of the *List of Law Libraries in the United States and Canada.* In the confusion some of you may not have obtained one.

If there is anything I can do for you at any time please feel free to call upon me. We get quite a number of reference questions. They have been received from Germany, Australia and various parts of the United States. Often people want to learn something about law librarianship when they write to us. I do not always know all the answers, but we have an unusually fine group of consultants, so I refer questions to them, and we have been able to give some very good service.

PRESIDENT POLLACK: Thank you, Secretary Fenneberg.

Most of you realize how difficult a job it is to be Secretary of the AALL. If you don't, I would suggest that you spend about two weeks with Doris in Toledo. It would be a revealing act to

see her operating on the basis of a sixty to eighty-hour work week. She has a very formidable assignment, and she has carried on beautifully. I know I speak for the entire Association when I say we are truly appreciative of her efforts.

Next we will have a report by the Treasurer, Miss Hancock.

TREASURER BETTY HANCOCK: For the purpose of clarifying the financial activities of the organization it has been customary to summarize the financial transactions of the separate accounts. This method of presentation has been continued during the present year. Our General Account showed an income of $23,098.25 and expenses of $19,871.59, with a net gain of $3,226.66. The balance on May 31, 1959 was $21,350.33.

A few factors reflected in this result may be worth mentioning. The sale of the stock of Volume 1 through 30 of the *Law Library Journal* contributed $1,200 to the income figure. The Washington Convention treasurer turned over $4,726.56 to the Association. A sum of $4,100 for the Washington meeting was advanced by the Association in the previous fiscal year, and during the 1958/59 Washington Convention expenses amounting to $495.68 were paid by the Association.

The cost of publishing the *Journal* was lower than last year's charges. This resulted, in part, from the fact that an extra issue was published in the earlier period. Publication costs of the new *Law Library Journal Cumulative Index* totaled $4,842.65, including the cost of printing one thousand copies. Some expenses, such as the expense of binding and mailing the *Index*, will appear in next year's report. Since the volume was not available until near the end of the fiscal year, the $2,105.00 income from sales is only part of the funds which will be received over a longer period.

Receipts from the sale of the *Index to Legal Periodicals* jumped to $12,141.99, from the $8,743.47 previous total. At the end of the fiscal year this *Index* account showed a balance of $17,758.14.

The sum of $3,031.30 remained in the Ford Foundation Grant Account, the Sidney Hill Scholarship Account chalked up a balance of $1,620.00, and the Miles O. Price Scholarship Fund had a balance of $1,153.22 on May 31, 1959.

PRESIDENT POLLACK: Betty is retiring as our Treasurer. We all are very grateful to her for carrying on this rather complex and formidable assignment. I know that I speak for the group when I express to you, Betty, our deep appreciation and our gratitude for a fine job well done.

TREASURER HANCOCK: Thank you.

PRESIDENT POLLACK: To expedite the acceptance of committee reports, we decided to initiate a new procedure this year. It seems like such a waste of time, and it is admittedly dull to go through the mechanical motions of calling for committee reports when Association action is not requested. In such instances the result is a motion that the report be accepted and filed. To avoid this time consuming procedure I am going to ask each Executive Board member to present a composite report on his or her assigned committees and call on those committee chairmen whose reports contain

recommendations for a brief résumé of the matter requiring consideration.

Mr. Dooley will present the composite report covering the following committees: Application of Mechanical and Scientific Devices to Legal Literature, Exchange of Duplicates, Federal Agency Activities and Microfacsimiles.

MR. DENNIS A. DOOLEY: Mr. President, members of the American Association of Law Libraries, the first report on my list is that of the Mechanical Devices Committee under the chairmanship of John C. Leary of the Chicago Chapter. I was looking for Mr. Leary this morning, to make sure the material in this summary was entirely satisfactory to him, but I wasn't able to see him before carrying out my responsibility.

I hope members will give note to the fact that the Committee's recommendation No. 5 outlines the contract which has been granted Avco to experiment with electronic library equipment, with an award of $201,000. You have some realization of the importance of this scientific project, and, of course, the fact that the contract has been assigned to the Crosley Division of the Electronic Research Laboratory in Boston, assures performance of that work in a satisfactory manner. We, as law librarians, can look forward to the scientific developments in connection with the tasks we are to perform.

The next committee is the Committee on Duplicates, of which Myrtle Moody is Chairman. I had a conference with her this morning and recommend the members accept her suggestion that the assessment of one dollar be made on libraries participating in the Exchange of Duplicates Program when the time comes for approving recommendations of committees.

This offers a wonderful opportunity for libraries to procure, without cost, some of the volumes that are surplus or duplicates in other libraries. Of course, every member of the Association is entitled to take part in the program. It's regrettable that more libraries are not on Miss Moody's list. If your library is one of those missing from the roster I suggest that the fee of one dollar would be a small expenditure to make to be eligible to obtain the quantity of material that is available.

The next report concerns the Federal Relations Committee. I am sorry to say that I wasn't able to contact Mrs. Losee before the meeting.

This committee has to do with the type of recognition we feel should be given to law librarians in various federal agencies, and it has performed valiant service in fostering legislation directed in that area. I am sure Mrs. Losee, as Chairman, will continue the good work. Her program for the coming year includes an educational program for the new appointees.

The final committee on which I must report is the Committee on Microfacsimiles, of which Joseph Andrews of New York is Chairman. Here again we have a realization of the importance of new devices operating in the library field. We have already had material submitted to the Association regarding microfilm and microcards, and in many respects the commercial organizations operating in this area have made considerable progress.

One improvement is in the card used for records and prints. Material now appears on both sides of a single card. There is evidence, too, that all of the companies operating in the field of manufacturing readers are attempting to produce better readers than are available at the present time. All of this indicates the interest the Committee has shown in its work. Much of its success has been possible because it has cooperated extensively with other agencies in the field of the manufacture of microfilm and microcards.

PRESIDENT POLLACK: Thank you, Mr. Dooley.

I should now like to call upon my predecessor in office, the very charming and very capable Miss Helen Hargrave, who will present a composite report on the following committees: Cataloging and Classification, Education, Foreign Law, Index to Foreign Periodicals and Placement.

MISS HARGRAVE: The Education Committee was under the chairmanship of Mary Oliver this past year, during which time it collected information for the use of law libraries in recruiting new personnel and drafted a recruitment brochure. In gathering information for the brochure, a questionnaire was sent out to obtain descriptions of the basic types of law libraries and the work done by law librarians. It also attempted to learn something of the educational requirements in terms of types of libraries, professional opportunities, salaries, opportunity for advancement, fringe benefits and intangible returns. The information garnered will be distributed later by the Association.

At the present time the Committee has specific suggestions for recruiting. Anyone who is interested in them may write to any member of the Committee for a copy of these ideas.

The Committee on Cataloging and Classification, under Chairman Mortimer D. Schwartz, worked on two projects. One under Miss Benyon's supervision collected classification schemes and lists of subject headings for catalogs to be deposited at Western Reserve University. The other part of the program is concerned with the compilation of a list of subject headings. I want to review some of the activity on this.

It appeared desirable to concentrate the arduous work of collecting and editing the list, so Werner Ellinger was asked to direct the project with the collaboration of Helen McLaury and Charles Bead. Since all of these people are located in the Washington, D. C. area, ready access to records and on the spot consultations were possible. Consequently, the preliminary compilation on cards was turned over to the Washington group who checked the Supplements of the sixth edition of the Library of Congress *List of Subject Headings* and added about one thousand new entries.

The Placement Committee was under the Chairmanship of Harry Bitner. When he took over the reins there were 136 applications on hand from persons who desired positions. Since then ten additional people have registered. Mr. Bitner says this total is too small; more registrants are needed. A name may be entered even if an individual is not actively interested in moving. From more extensive files the Committee would be better

able to determine trends in salaries and qualifications as well as other facts regarding personnel who may be available to employers.

The Committee received inquiries from twenty-one employers. Three specified law degrees, four asked for both law and library science degrees and the remaining twelve specified library science degrees. The range of salaries was from $4,000 to over $7,000, with only two openings below $4,500.

The Foreign Law Committee, under the chairmanship of Mr. Schwerin, worked with Mr. Stern on the project of the Index to Foreign Legal Periodicals. Its members did an extraordinary amount of work in the checking of foreign legal periodicals which might be included in the index and also contributed suggestions to the director of the project.

Another labor of the Committee was their cooperation with Mr. Roalfe concerning the establishment of an International Association of Law Libraries.

Concerning the first mentioned program, the Index to Foreign Legal Periodicals, I would like to have Mr. Stern give the resume.

MR. WILLIAM B. STERN: This morning we received word from the Ford Foundation that our request for a grant was approved. The award appears to be sufficient for the publication of an Index to Foreign Periodical Legal Literature for the next five years.

Last year was quite exciting for us. We worked hard on the preparation of the project. This (displaying book) gives you an idea of how much labor was involved. It is our report to the Ford Foundation, and it was a cooperative effort. Helen has already mentioned the contribution of the Foreign Law Committee, but she has not discused her own work. As you know, Vernon Smith was the coordinator on the Executive Board, and, after his passing, Helen took over without any interruption. Within a few days she was fully familiar with project details.

This is really all I feel we can say right now, except to thank everybody and express the hope that our tentative agreement with Howard Drake, who is among us and who valiantly helped in the preparation of our program, will come to pass so that the Index will be edited and published at the Institute of Advanced Legal Studies in London. This creates a new bond between our Association and our British colleagues. All of us, of course, are highly impressed with Howard's accomplishment.

MISS HARGRAVE: I want to tell you a little more about the work Mr. Stern has done because it is really almost entirely his accomplishment. He wrote thousands of letters. He made a trip to Europe to find out about the feasibility of doing the work overseas. Abroad he executed a most complete plan for investigating costs, personnel, printing, and so forth. He secured the cooperation of the ABA and the International Association of Legal Science.

It seems to me that no other work done by a member of this Association, in so limited a time, has been so extensive. However, the words of Mr. John Howard, who is the Director of the Ford Foundation, pay the finest tribute to Bill's work. He stated that Mr. Stern's report was the most com-

prehensive and most thoroughly prepared of any such effort the Foundation has received. I should like to hear a rising vote of thanks for Mr. Stern.

(Members of the audience rose and applauded.)

PRESIDENT POLLACK: I want to underscore what Miss Hargrave has just said: The report is not only a thorough, complete and comprehensive job, but was so impressive that all of us in the initiating stage of its development could do but a minor fraction of editorializing and indulging in the proclivities of a writer.

We must also recognize the excellent work of Helen Hargrave, and of Kurt Schwerin and the Committee. They pitched in and did a masterful job. I wish to express our sincere appreciation on a successful mission.

Now, Miss Frances Farmer will report on the following committees: The Committee on Committees, Chapters, New Members, Policy and Publications.

PRESIDENT-ELECT FARMER: Mr. Chairman and members of the Association, this year the Policy Committee was chaired by Bob Roalfe and their report records the fact that two matters were referred to them by the Executive Board: First, the inquiry into, and the preparation of, a recommendation on the certification and education of law librarians; and second, the development of qualitative standards for the evaluation of law libraries.

The Policy Committee, believing that a considerable amount of study would have to go into the preparation of such recommendations, urged that panel discussions be arranged for this meeting so the entire membership might have an opportunity to explore the two subjects. This has been done, as you will see from the convention program.

Another matter, that of obtaining foundation aid for the production of an educational film on microfacsimiles, has not advanced because the Microcopy Committee has withdrawn the proposal, pending further consideration.

The Publications Committee was chaired by Betty LeBus. It continued work on the Bibliography on Law Library Technique Literature. The project has not been completed and work on it will be continued this year by the present committee. At one point it was believed that this bibliography might not be timely because of the preparation of the *Cumulative Index* to the *Journal*. However, the *Index* does not take the place of the bibliography inasmuch as the latter is to be an annotated list. We feel that there is still a necessity for this work going forward.

The New Members Committee was headed by Virginia Knox. It has proceeded in the customary fashion for recruiting new colleagues. In March of this year it prepared a brochure which has been used to further Committee activity since that time.

The Committee has made three recommendations, the first of which suggests that the group be made up of representatives from each of the chapters. In those areas where no chapter exists, a member-at-large should be appointed from the Association. This has been done in assignments to the 1959/60 Committee.

A second recommendation was that

the new *Dictionary* include a list of the officers of the various chapters, together with the areas those chapters cover. I believe the idea has been passed along to the new Committee on Statistics and Directory.

The third recommendation was that the name of the Committee be changed from "Committee on New Members" to "Committee on Membership." At the meeting of the Executive Board yesterday this was done.

The Committee on Chapters was headed by Corrine Bass. Traditionally the group is composed of the presidents of each of the various chapters. Corrine's work this year has been involved with persuading said chapters to be diligent in relaying information concerning their officers, and so forth, directly to the Secretary.

Each of the chapters has held more than one meeting this year. President Pollack participated in events in the following areas: Greater New York, Washington, D. C., Chicago, Upstate New York and Ohio.

I will not undertake to cover the information given on page seventeen of the mimeographed reports which sets forth the rather impressive array of chapter activities. I would like, however, to point out the fact that the Greater New York Chapter has been involved, along with their other work, in making preparations for this meeting. I'm sure you will all join with me in extending to them a special word of thanks for the very excellent convention already under way. Thank you.

PRESIDENT POLLACK: The Law Library Journal Committee will meet tomorrow morning. Therefore, we will not call for word from them now. However, Harrison MacDonald will give a composite report concerning the other committees for which he operates in a liaison capacity, namely: the International Association of Law Libraries, Memorials, Scholarships, and Statistics and Directory committees.

MR. MACDONALD: The Committee on an International Association of Law Libraries was under the chairmanship of William R. Roalfe. It is concerned mainly with a meeting which is scheduled for 2:30 P.M. on June 24th, at the Association of the Bar of the City of New York, as your program will tell you. Invitations to this event were extended to over 150 individuals and institutions in the United States and fifty foreign countries.

It is quite obvious, as Mr. Roalfe's annual report suggests, that those in attendance at this meeting will determine what should be done concerning the matter of forming such an association. In the above mentioned report, credit is given to, and appreciation is expressed for, the assistance of many of the members of the Committee, with special mention of Kurt Schwerin as Chairman of the Committee on Foreign Law. It also expresses appreciation of the contribution made by the Association of the Bar of the City of New York.

The Committee on Memorials was under the chairmanship of George A. Johnston. Since there has been an amendment to its annual report, I'm going to call upon George for a brief summary of the activities of his Committee.

MR. JOHNSTON: Mr. Chairman, members of the Association, as the amended report is brief I think it best to read the whole document.

Your Committee regrets to record the death of five of our members since the 1958 meeting of the Association:

Herbert J. Allan, formerly Assistant Law Librarian of the University of Florida and long a member of the Association.

Harry L. Holcomb, Vice-President of the Lawyers Cooperative Publishing Company, which he represented for many years at the meetings of the Association.

Vernon M. Smith, Law Librarian of the University of California and a member of the Association since 1939.

Thomas S. Dabagh, Librarian at the University of California Law Library at Berkeley, the Los Angeles County Law Library and the University of California Law Library at Los Angeles.

Frances D. Lyon, a Law Librarian in the New York State Library from 1910 to 1930 and State Law Librarian from 1930 until her retirement in 1950. She had been a member of the Association since 1915 and a life member since 1951.

I suggest that we rise and stand in silence for a few moments in memory of these colleagues.

(The audience observed a silent tribute to the memory of the deceased members.)

MR. MACDONALD: The Committee on Scholarships was under the chairmanship of Sarah Leverette. If she is present I should like to have her report since there are some recommendations to be heard.

MISS LEVERETTE: I request that I be allowed to make my report on Thursday morning after I have been able to round up a very fine group of law librarians.

MR. MACDONALD: The Committee on Statistics and Directory was headed by Mr. Eugene Wypyski. Will Mr. Wypyski please come forward with his résumé since it contains recommendations.

PRESIDENT POLLACK: Why don't I make several announcements while we are waiting for Mr. Wypyski to appear on the rostrum.

The Minneapolis meeting will be held from June 28 through July 1, 1960, at the Hotel Leamington. In 1961 the convention will be held in Boston from June 26 through June 29 at the Sheraton Plaza Hotel. The meeting in Boston will be preceded by an Institute at the Harvard Law School Library. The facilities of the Harvard dormitories will be available to Institute enrollees. Yesterday the Executive Board accepted an invitation from San Francisco to hold the 1962 convention in that city.

There is one additional bit of information which might be helpful to you in planning attendance in 1960. Events will start on Tuesday rather than on Monday, as is traditional. The reason for this is a financial one. By commencing a day later we will be able to gain a fiscal year advantage.

Since Mr. Wypyski has been unable to appear as yet, we will postpone his report until Thursday. May I now ask for a motion that the reports given be accepted and filed?

(The motion, as presented, was seconded and passed.)

MR. FORREST S. DRUMMOND: No mention was made of the Committee on Index to Legal Periodicals. I would like to make my report on Thursday because we will take up some matters of interest at a meeting tomorrow.

PRESIDENT POLLACK: Thank you, Mr. Drummond. We will call upon you during the Thursday session.

Now I would like to indicate that the Board recommends that the following, who have retired, be extended life membership. We will vote on these recommendations Thursday morning. The list includes the following:

Percy A. Hogan, the University of Missouri Law Library; Lucille Holland, Department of the Navy, Office of the Judge Advocate General, Law Library; Edith C. Dahl, Duluth Bar Association Library; Anna M. Ryan, New York Supreme Court Library, Buffalo; Mark H. Wight, Washington State Law Library; Margaret D. Stevens, Barnes, Hickam, Pantzer & Boyd, Indianapolis; Viola M. Allen, Dayton Law Library Association; Dorothy F. Bidwell, the University of Connecticut Law Library; and Ann Trittipo, Law Library of Congress.

MR. FRANCIS B. WATERS: I would like to mention that the report of the Elections Committee will be given on Thursday.

PRESIDENT POLLACK: Any other new business? None? Then I will remind you that luncheon will begin at twelve-thirty in the Grand Ballroom, and thank you.

(Whereupon, at 11:30 o'clock, the First General Session was adjourned.)

OPENING LUNCHEON SESSION

Monday, June 22

The Opening Luncheon Session was held in the Grand Ballroom of the Hotel Commodore. Seated at the head table were: Mr. Ross Kitt and Mr. James Kelley, representatives of the Lawyers Co-operative Publishing Company; Charles H. Tenney, Esq., Corporation Counsel of the City of New York; Dudley B. Bonsal, Esq., President, Association of the Bar of the City of New York; The Honorable Bernard Botein, Presiding Justice of the Appellate Division, First Judicial Department, Supreme Court of the State of New York; Mr. Dennis A. Dooley; Dean G. Goodenow, Esq., President, Brooklyn Bar Association, Miss Betty Hancock; President Ervin H. Pollack; President-elect Frances Farmer; Mr. C. Wesley Jeffry, President, Baker, Voorhis Company; Mr. L. A. DeBow, President, Shepard's Citations; and Harry Cohen, Esq., President, Bronx Bar Association.

*Following the luncheon, President Pollack read a message of welcome from The Honorable Nelson A. Rockefeller, Governor of New York. Mr. Tenney rendered the official greeting of New York City, and Mr. Bonsal delivered greetings from the Association of the Bar of the City of New York. Mr. Dennis A. Dooley acknowledged the messages of welcome after which President Pollack introduced the speaker, Justice Botein, who addressed the group concerning the law libraries in New York City.**

* Lack of space prevents publication of Judge Botein's address here. It will appear in a forthcoming issue of the *Journal*—Ed.

UNITED NATIONS SESSION

Monday, June 22

The United Nations Session was held at 2:00 o'clock in the Economic and Social Council Chamber of the United Nations Headquarters Building. President Ervin H. Pollack introduced Mr. Joseph Groesbeck, Deputy Librarian of the United Nations Library, who described the United Nations legal collections and presented the speaker, Mr. John Scott of the Office of the Legal Counsel. Mr. Scott's address was entitled "The Law of Outer Space."

After Mr. Scott's speech, a brief question and answer period was held. President Pollack closed the meeting with a word of thanks to the speaker and to Mr. Groesbeck and the United Nations Library staff for making the session a memorable one.

(Minutes of the meeting were not recorded. The above outline of events was contributed by Miss Virginia M. Walker, Librarian, Legal-Political and Security Council Branch of the United Nations Library.—Ed.)

TUESDAY MORNING SESSION

June 23

The Tuesday Morning Session, a panel, "The Development of Qualitative Standards for the Evaluation of Law Libraries," convened at 9:30 o'clock, Dr. William R. Roalfe, Librarian, Northwestern University Law Library, presiding. Participants were: Miss Helen A. Snook, Librarian, Detroit Bar Association; Miss Elizabeth Finley, Librarian, Covington and Burling, Washington, D. C.; and Mr. Harry Bitner, Librarian, Yale Law Library.

The Development of Qualitative Standards for the Evaluation of Law Libraries—A Panel

Chairman Roalfe: Good morning.

The idea of developing standards for law libraries is, of course, neither new nor original. The AALS and the ABA, in their roles as accrediting agencies, have been applying library standards of a sort for over fifty years. In addition, law libraries of all types have been appraised and evaluated from time to time, something that cannot be done without having some kind of a standard in mind. Nevertheless, our discussion is introducing several new elements which are of considerable importance, and I believe it will be well for us to keep them in mind.

In the first place, the initial impetus comes from Ervin Pollack and Frances Farmer, who have jointly proposed that the development of standards for law libraries be made the subject of special study by the Policy Committee. In the second place, they have stressed the importance of emphasizing the qualitative factors as distinguished from the purely quantitative factors. And in the third place, they are primarily concerned with the development of standards which may be applied to libraries on a voluntary basis as distinguished from such standards as are "imposed" by accrediting agencies, standards that suffer, in addition, because they are necessarily minimum standards.

The development of such standards as we have in mind will take both a

great deal of time and a great deal of effort. We can make a mere beginning today. The fact that only three types of libraries are represented on the panel dramatizes this situation. Of course, the type of library is important, but unquestionably, all libraries have some factors in common. I hope that, among other things, some of these will emerge and be developed this morning.

Because it bristles with difficulties, it may be well to state our topic in the form of a question, somewhat as follows: Is it possible to develop criteria that will be useful in the evaluation of law libraries and the services they provide, in which the qualitative as distinguished from the quantitative factors are given the major emphasis?

While I am itching to submit some comments of my own, it is my task to present the panelists, and keep them separated if the arguments get too hot, and try not to steal their thunder.

Our first speaker is Helen A. Snook, of the Detroit Bar Association Library, our next President-elect who is going to approach our subject as it applies to bar association libraries.

MISS SNOOK: The paper I am about to read, or the talk I am about to give, is going to be presented in outline form. I am going to flit from peak to peak and trust that the discussion Bob hoped would result among the panel members will extend out to the rest of you.

Bar association libraries, like office, court, county and state law libraries, are organized to serve lawyers. The Bar library differs from the other practitioners' libraries chiefly in the matter of financial support and control. In serving the supporting members, a Bar library does have three distinguishing reasons-for-being.

In addition to the statutory and decisional material and the basic reference tools, it should house:

First, the materials which every lawyer must have but which the individual member or member firms cannot afford either cost-wise or space-wise.

Second, the Bar library should be a depository for those items seldom used by an individual member, but which become items frequently requested by the collective membership.

And third, it should strengthen its collection in those fields of law dominant in the local practice area.

At this point, I want to emphasize a matter of extreme importance to practitioners—their time. The service attitude of the staff, and very nearly every decision of the Bar librarian, should be guided by the answer to this question: Will this save the lawyer's time? His time is his stock in trade. Every bit of it which may be saved for him by efficient administration and service is calculable in dollars and cents on his daily time sheet and, of course, benefits his clients.

To effectively evaluate, then, the qualitative standard of a Bar library, by the extent to which it meets all these responsibilities for its supporters, at least four factors should be considered:

First, of course, the book content;

Second, the organization of the collection for its most effective use;

Third, the services offered the members by the Library staff, be it one man or more;

And fourth, administration.

The time allotted me will spare you an exhaustive dissertation or extended remarks on any of these factors. Your own thoughts and ideas will have to fill in the framework of my outline and supplement the brief comments and examples I offer now.

First, let us consider the book content. I would like to quote a list of ten items. They were named in a talk given recently before a group of law librarians, by a lawyer who has served on the faculty of a sizable law school and who has practised law, both as an individual and as an associate of a very large law firm. These he listed as items he would expect to find in a medium-sized county or Bar library:

1. The records and briefs of the state's Supreme Court cases.
2. The *Index to Legal Periodicals.*
3. At least twelve good law reviews.
4. The American Law Institute Restatements of the Law.
5. The *United States Code Annotated* together with its Congressional Code Service.
6. The *Federal Register* and *Code of Federal Regulations* and the comparable material for the state. The state's administrative code, if any, or as complete a collection of the rules and regulations of the state's administrative agencies as it is possible for the librarian to collect.
7. Legislative histories of important federal acts, and again, all possible material which could be gathered to provide legislative history or intent of the state's legislation.
8. The maximum number of looseleaf services the budget would permit.
9. Modern texts on topics covering the range of the patrons' practice.
10. The *United States Law Week.*

This list might very well serve as a starting point or guide for any group or committee assigned the task of developing a measure for evaluating the qualitative standard of a Bar library with respect to the book content.

Organization is necessary to make any collection of books usable. Why, then, name it as the second factor to be evaluated in determining the qualitative standard of a Bar library? For two reasons—space and time.

You will ask: Isn't space the hardy perennial problem of all libraries? It is, to be sure, but for many Bar libraries, it becomes a major budget problem. Ownership and operation of a Bar building is costly. So is downtown office space rented by the square foot. Of course, some Bar libraries obtain space, rental free, in their county buildings, but such arrangements rarely put them in a position to demand and receive the amount of space needed or desired. It is necessary that every book on the Bar library shelves earn its board and keep—use-wise.

Good cataloging, including copious analytics, pulls much valuable material out of blind titles for the harried and hurried Bar library user. Titles such as the "Michigan Judicial Council Reports" and the "New York Law Revision Commission Reports" have nothing but the year to distinguish one volume from another in either set. Without analytics, they may gather dust, but they will earn every inch of shelf space they occupy if the busy lawyer finds, quickly, citations to the volumes which contain studies of from fifty to two hundred and fifty pages in

length, on such universal topics as "Condemnation Procedure" and "Liability of a Charitable Institution for the Negligence of its Agents and Employees," to mention only two.

The qualitative standard evaluator might well look in a Bar library to see how tired and worn from use such material has become. He might also look at the shelf arrangement. Ready access to well-labeled open shelves rates very high with the Bar library patron, particularly with that daily percentage of users who pay hurried visits on a do-it-yourself basis. The arrangement of books by jurisdiction, rather than by class, is best geared to the way a lawyer works. Arrangement of texts by subject, instead of by author, draws great praise as a time-saver.

Turning to the third factor—services—they improve the qualitative standard of a Bar library to a greater degree, perhaps, than in any other type of a law library. Again, because they can be such terrific time-savers for a lawyer.

Reference help, both in the library and over the telephone, and frequent bibliographies issued on current subjects should, perhaps, head the list. Universal use and enthusiastic praise for easy, while-you-wait photocopy services would place that item high on the roll. The lawyer appreciates quick and efficient handling of phone calls and messages, dictating and conference rooms, dictating equipment (and I might say here, parenthetically, that we have five different makes, placed in our library without charge by the local sales representatives, as a service to lawyers who have already purchased any one of the makes for their offices). Undoubtedly, the Bar library patron does realize and appreciate good librarianship, but such evident services as these few mentioned give him tangible and oft-repeated cause to express his gratitude.

Under the fourth factor—administration—I note for examples just a few things which a supporting member of a Bar library would expect of his librarian and staff, for meeting even minimum standards:

Prompt filing of looseleaf services; adequate records and checklists which will tell him not only the last volume or number received, but also the last issued, for any continuation. Many metropolitan law offices, large enough to have a fairly good library but not large enough to warrant a full-time office librarian, depend upon their Bar library records for such information. Also, a good circulation routine is necessary if the rules permit books to be withdrawn.

There must be some indication that the library is alive and growing by such evidence as good long-range planning. There should be a well-balanced staff if more than one person can be afforded. You will think of many other items.

Having mentioned the staff, whether it be large or small, let me add this comment. In a Bar library, particularly, there should be a warmth of welcome for each supporting member. The staff should strive to build within the membership a feeling of proprietary interest in their library. From this will come, spontaneously, many helpful suggestions and comments. Regardless of other factors, a low qualitative rating goes to any Bar library

whose members feel that their library is the sanctum of a librarian who begrudges the disarray of a tidy collection.

To summarize, then, I have offered up to this point: first, a definition of the common problem, then three distinguishing reasons-for-being of a Bar library, and finally, four factors to consider when determining a Bar library's qualitative rating.

So much for some of the elements to be measured. Now, by what means or with what devices shall we do the measuring? Again, time restricts me to just a few specific suggestions. Perhaps they will prompt you to think of many others.

For book content, lists similar to the one already noted from which minimums, averages and ideals could be determined may be used.

For organization, inspection by a qualified person or persons, together with a study of the amount of use made of the collection would serve. A bar association might possess a collection of materials which deserved both a high quantitative and a high qualitative rating, but what purpose would it fill if it was not used? Some formula might be evolved which could relate size of membership, size of collection and daily attendance or use.

For services, possibly a check-list of all known ministrations available in the many Bar libraries, or duties performed for their supporting members by the library staffs, could be made available. From that total, comparisons and evaluation could be made for any one Bar library.

For administration, comparative statistics would be most revealing. Annual reports and financial statements could be filed with a standards committee, or with our Secretary. They would then be available for study or, upon request, to any individual librarian wishing to make comparison with others. A lower-than-average percentage of the total budget allotted to salaries might mean, for instance, that the library was understaffed, the staff underpaid, or both.

Let me give an illustration of how this works. The general library of an eastern college was recently visited by an accrediting team. Their study of its reports showed that the percentage of books discarded annually was below average. Upon investigation, it was disclosed that the library was not hoarding outmoded volumes for a high quantitative count. Revealed, instead, was a collection of high quality requiring few discards because of a fine degree of performance in book selection.

This episode also serves to illustrate why I wish to conclude on a note of caution. The measuring devices for evaluating the qualitative standards of any library must remain flexible enough to adjust to a variety of local conditions or situations. Those responsible for applying the yardstick must remain practical, realistic and sensitive to many intangible elements which do not readily meet the eye. A combination of the two must encourage, not discourage, all efforts to strive for higher standards.

I like this quote: "A man's reach should exceed his grasp, but not by a million light years. Goals must be kept within the realm of possible achievement."

CHAIRMAN ROALFE: Thank you, Miss Snook.

I'm quite sure that your observations will evoke some questions and comments, but I will reserve such activities until the panelists have finished.

The next speaker is Miss Elizabeth Finley, our well-known former treasurer of the Association who is on the panel today to represent law office libraries. Furthermore, she represents Covington and Burling of Washington, D. C., a firm that fully appreciates what a law library can do for a law office.

I think nothing demonstrates the inherent conservatism of the legal profession more than the fact that lawyers are so slow to appreciate what can be done in this area. Nevertheless, their understanding is increasing and therefore, the firm law librarian represents a very important segment or part of the program of this Association.

It gives me great pleasure to present Miss Elizabeth Finley.

MISS FINLEY: In my many years as a law firm librarian, there is one recurring episode that always tickles me. It involves the new recruit who arrives with his shiny new LL.B. The first few weeks are spent weaning him from the idea that if he only had that case book he used in law school, he could write a definitive memorandum on his assignment within an hour. Several months—and several assignments—later, as I steer him to the most likely source for beginning on a new problem, he frequently says with genuine amazement, "You know, for its size, you really have a very good library here."

This, of course, is what we are discussing today under the rather dismaying title of "Qualitative Standards." How well does the library satisfy the requirements of its patrons, and can we draw up a code of standards?

For the moment, we are considering law firm libraries. Since the question of standards is divided into two parts —book collection and service—we will discuss here only law firm libraries which employ full-time librarians, for, obviously, lacking a librarian, you are lacking service. We are also talking about firms in "general practice;" there are firms so highly specialized in their practice—such as patent or tax law—that our criteria (if we ever establish them) would not apply.

Since the ins and outs of law firm libraries have been discussed in detail in the past, I will try to be as brief as possible, hoping to gain time for discussion.

There seems no point in our detailing the collection that a firm library should have. Obviously, it should have the basic research tools—digests, reports, cyclopedias, treatises, codes, law reviews and materials in special fields of concern to the firm. It should certainly have everything for its own state and city, and there will always be a need for a certain number of general reference books—dictionaries, encyclopedias, atlases, directories, etc., as well as some non-legal books in the fields of business, economics, medicine, accounting and the social sciences.

The collection, however, is limited by the overshadowing problem of space. Law firm libraries are "small" (five thousand to thirty thousand volumes), not because of the price of law

books, or even the price of space, although at six dollars a square foot and upwards, that could be a factor. The problem is that sufficient space is just not available. Law firms are in office buildings, nearly always in the most congested business district of large cities. With the best will in the world, firms simply cannot obtain the space real libraries need. They might be willing to pay for all the books that are published, but they could not house them.

As it is, office buildings being what they are, law firm libraries would probably rank low by approved standards for library arrangement. We do the best we can with the space we can commandeer. If shelves trail along the corridors, and if odd spaces here and there have to be utilized for less urgent material, it is still better than not having the books at all.

The point I wish to make about the book collection of a law firm library is that quantity alone is not an important factor. The yardstick should be: how well does the collection fill the normal requirements of the lawyers?

Considering the space problem, and the irreducible rate of expansion of the essentials, something that may be used only once or twice a year becomes a luxury. A practicing lawyer, of course, is primarily in the business of solving his client's problems, advising him how to avoid problems, and arguing his case if litigation is inescapable. This is all a pretty practical business and more emphasis is likely to be placed on what the legislature will do tomorrow than what Backstone commented two hundred years ago. I do not mean that the practicing attorney has no need for the legal classics. He writes articles, speeches and an occasional "Brandeis brief." Then we turn to our library friends in the scholarly fields and ask to borrow books which, in our day-to-day work, might be considered esoteric.

To sum up the collection part of this paper: the librarian should be the judge of what books to buy, what to discard, what to recommend "if we can get the space." How many times he has to borrow, or send his lawyers out of the office, is the prime test of whether the collection is fulfilling its function, namely, serving its patrons.

The question of library service also varies from firm to firm. But since our present problem is to set maximum standards, let me list first of all the services that should be common to all law firm libraries, and then list those that may be appropriate for some and not for others, depending on the size of the library staff and the policy of the firm. Bear in mind that a law firm library is essentially a one-man library. There are no reference, cataloging, circulation, acquisition or other special department librarians.

Here, to my mind, are the essential services:

Reference: Transcending all other tasks, assistance to the lawyers in their research is the most important function of the librarian. The library is the information center of the office, and the librarian tries to answer all questions, large and small. Generally it is not his duty to interpret the law, although some questions come very close to that. Interpretation is the function of the lawyers. It is the reason for their being. But "how do I

find this?" "Where do I look for that?" "What does this citation mean?" is the Greek chorus background to more involved questions; questions that can take hours, sometimes days, to research.

Book selection and ordering: The selection of books to be acquired should be in the librarian's discretion. Some firms insist on a "library committee" of several lawyers, which must approve books recommended by the librarian. This is an awkward and unsatisfactory arrangement, and to my mind denotes a certain lack of confidence in the librarian.

No one but the librarian is in a position to know what is in general demand and can weigh the value of a book or a set of books against the precious space it will occupy. It is sometimes desirable to ask the opinion of a tax lawyer, for instance, on the worth of a new title in taxation, but the final decision should be the librarian's.

Records and bills: Related to book selection and ordering is the keeping of records and the paying of bills. An efficient yet simple system of recording the receipt of new titles, continuations, supplements and subscriptions, and the payment therefor, must be established. It need not be elaborate, but it must be an effective check on what has been delivered and what has been paid.

Discarding: The decision of what to discard should also be the librarian's. Old editions of text books, outdated treatises, old editions of codes, supplements and ephemeral material must also be weighed against the space they occupy versus usage.

Catalog: All of the books, services and pamphlets should be cataloged. The catalog may be rather informal by a cataloger's standard, but there should be at least an author, subject and title entry for every piece of paper in the general collection.

Charging system: Most law firms rely on the "honor system" of charging borrowed books. Whatever method is used—whether book cards, sheet or out cards—the lawyer is expected to charge everything he takes to his office.

Since the library is never closed, and lawyers are forever working at night and on Sundays (particularly on rainy Sundays when they would otherwise be cooped up at home with the children), and there is no member of the library staff on duty around the clock, the honor system has its flaws.

It is usually necessary to check the private offices daily to collect books ready to be returned, in order to keep missing volumes to a minimum. When a firm is spread over several floors, this necessary checking of the offices is no small task.

Current information: Law firm librarians are expected to know what is happening in the world practically before it happens. They carefully read three or more daily newspapers, marking or clipping stories of interest to individual lawyers, and inwardly digesting a wide variety of items. This is frequently the first clue a librarian may have to the existence of some report or study, which he will promptly acquire for his invaluable pamphlet collection.

Thus, he will be able to answer quickly such inquiries as "What is the

latest move in the zinc stabilization program?" "When is the next GATT conference to be held?" "Who was it that was named director of the Motor Vehicle Bureau last week?" If, in passing, he is also pretty well informed on the latest switcheroo in Hollywood, I do not think he is to be criticized.

Legislation: Although perhaps not one of the traditional functions of a law librarian, I cannot imagine that by now there is any firm which does not recognize the importance of following legislation, both federal and state, and compiling legislative histories. The modern practicing lawyer would hardly think of going to court without having studied the legislative history of the Act in question; it is getting so he will not give even the simplest opinion to a client without examining the history.

The compiling of histories of federal acts—that is, physically collecting in one place all the pertinent congressional material—is unique, I think, to private and federal agency libraries. The larger law libraries may have all of the documents, and may have systems of annotating report numbers, hearings, debates and bills on catalog cards, but they very seldom collect them physically in one place. It is certainly a great convenience to have a compiled history at hand, but it is a time-consuming job for the library staff. Firm libraries, of course, cannot use the annotated card system, since they cannot house the complete output of Congress. Everything must be selected, piece by piece.

Reports and bulletins: Periodic bulletins on new acquisitions and law review articles are a usual method of calling the attention of the lawyers to current material. An annual report of the librarian is an excellent method of informing patrons about some of the problems of library administration. Both bulletins and the annual report also have the salubrious effect of reminding all and sundry that a library exists—a fact that senior partners may be inclined to overlook.

Housekeeping: It seems unnecessary to mention the routine jobs that are always with us, but just for the record, the librarian is responsible for binding and repairing books, arranging the collection to the best advantage, insisting on good lighting, appropriate furniture, occasional dusting, etc.

All of these, it seems to me, are essential to all firm libraries. Below are functions which may be part of the library or may be performed elsewhere in the organization:

Memoranda of law: The memoranda which lawyers prepare in the course of their legal research are usually collected in the library, where they are indexed in detail and kept for reference. Reference to the index frequently eliminates duplication of effort where the same point of law has been researched before.

Records and briefs: These are the printed papers that are filed in court. They are usually collected into bound volumes and are indexed at least by title. (Since they appear in the regular digests, a subject index is not really necessary.) They are valuable for both research and historical purposes.

Corporate histories: Where a firm does a great deal of corporate organization or financial work, the relevant

papers are collected into "corporate histories." They are useful as forms as well as history.

Forms: A file of forms, drafted in the office, is frequently maintained. This would cover wills, contracts, etc., as well as procedural forms.

Checking of citations: In some firms, the librarian checks the citations in all briefs to be filed in court and all memoranda that are to go out of the office. This is a time-consuming job, and if there is a sizeable staff of law clerks, the task can legitimately be left to them.

Instruction: A series of lectures on the use of library materials is useful as an indoctrination for new secretaries who have not had previous legal experience. On a somewhat more advanced level, a similar course for undergraduate law clerks is also helpful.

The above, briefly, in my experience, is an outline of a law firm library and the functions of a law firm librarian. As you can imagine, there are many details that could be supplied, but this hardly seems to be the occasion. If we can use it as a guide, enlarging it if I have overlooked anything, we might be able to find, not the least, but the greatest common denominator and draft a set of qualitative standards. Perhaps we could evolve a "point-count system," which I hope would be known as the Roalfe Point-Count System, in honor of our distinguished chairman.

CHAIRMAN ROALFE: Thank you, Miss Finley.

The next participant on the panel is Harry Bitner and, as we all know, he is now at Yale, after having served terms of duty at various other places, including Columbia, under Miles Price, which is a recommendation indeed.

It is a pleasure to present Harry Bitner who will approach our subject as applied to law school libraries.

MR. BITNER: As I reviewed the literature pertaining to the subject of our panel, I found that, perhaps, we are behind the times in this whole aspect. Furthermore, I have some questions regarding the business of qualitative standards.

The other members of the panel have covered a particular area. I will try to be specific later, but first I would like to point out that we all seem to agree we need formal standards. Everyone thinks they are a good idea. In reading the literature it was interesting to note there is a lot of effort being used to persuade us we require standards. So perhaps we should give some thought to why we need them and what purpose they fulfil profession-wise.

One of the speakers has mentioned that standards set up an important goal. They spur us toward achievement by giving us some ideal to aim at. It has been suggested that establishing sound requirements and publicizing them in every possible way will do much to enhance the status of the profession—a point which our President has emphasized in his President's Page. We must keep in mind, as do our authors, that standards should not encourage freezing and keeping the status quo. We are trying to set up ideals which will measure the level of performance and efficiency and will provide the performance and type of service we should expect—not

for minimum service, but for maximum service. Every given set of circumstances must be taken into account. I underscore this because I will refer to it later.

I think this matter of quality is important, but quantity certainly can't be ignored. I look upon quantity as one aspect of quality, and I believe we must keep in mind that in proposing or establishing any particular type of standards, both of these factors must be given due consideration.

Mr. Roalfe has written an article on the whole topic of standards which was published in 11 *Journal of Legal Education* 346. In it he placed a great deal of emphasis on the importance of qualitative and quantitative standards.

Quality, in the matter of collection, does indicate some aspect of quantity. A large law library in this country will probably accession a lot of books which smaller libraries couldn't consider and wouldn't buy. Some libraries would think it remiss if they failed to obtain certain books which develop a particular topic.

The problem of establishing qualitative standards is not any easy one. It is even a difficult one, as many of us who were on the law school committee discovered. Setting up quantative critera is also quite difficult. But a greater hardship arises when you get into the realm of the application of qualitative requirements. It is not easy to interpret them. They are inclined to be vague or too general. For instance, how can you make a qualitative standard for reference services, cataloging services or activities in those areas? Such services are quite intangible, and just can't be measured entirely on that sort of basis.

I think these are important points to keep in mind. It is not going to be a simple matter. It will take some time to study all of the angles. We do have some interesting illustrations from some of our sister organizations, however.

We might consider the achievement in other library fields at this point. I was quite amazed after having read the library literature at how much activity has been going on. It demonstrated that we have been a little slow in developing this area. For instance, the ALA has already adopted the standards published in their pamphlet *Public Library Service: A Guide to Evaluation with Minimum Standards* which was issued in 1956. It took some five years to complete them. Recently an evaluation has been conducted concerning the results of the effort so far, but there hasn't been any overall agreement on the program. However, progress is being made.

College and university libraries have done some work in this field. The first thing they did was to develop library accreditation standards. Recently, the Association of College and Reference Libraries adopted the College Librarian's Standards. It will soon be available. I haven't been able to get hold of a copy.

It was very interesting to discover that some of the most exciting literature being written on the topic is in connection with the SLA. Not long ago that Association held a meeting which was devoted entirely to library standards. Some of its members have produced very illuminating articles

and comments about standards in general. As you probably know, the group has taken a giant stride in the matter of certification of special librarians.

I will now try to get back to what is happening in our own back yard. I am not going to repeat a lot of history. You can find such in an article by Mr. Lyman H. Brownfield in 30 *Law Library Journal* at page 22. It is quite old, but it gives a very fine outline of the early development of law library standards. I have already mentioned an article by Mr. Roalfe which covers an important phase in regard to qualifications—that of the matter of library use.

There is another aspect dealing with a special area which I would like to mention. About two years ago, the Association of American Law Schools appointed a committee to survey the objectives of that organization, under the chairmanship of Dean Thoron of Cornell. One of the things he recommended was that the Law School Association give up its accreditation practice. The recommendation believed it should be thrown over to the ABA.

About the same time this was taking place, Mr. John G. Hervey of the Section of Legal Education issued his now famous memorandum on autonomy in the law school library. This raised the hackles of people in various fields. One objection was voiced by Ralph Ellsworth who is the Director of Libraries at the University of Colorado. Mr. Ellsworth requested the ACRL to form a special committee to consider all law library relationships. As a result Mr. Roalfe and I are going to Washington this month to confer on the problem as members of the Special Committee to Consider Law Library Relationship Problems.

The Association of American Law Schools conducted a library survey about four years ago. They are now compiling the statistics, and their recommendations concerning the improvement of library staffs, collections, etc., have been supplied to the joint committee of the AALS and AALL. I don't know whether this matter should be discussed until the results are officially released. I mention these studies to point up the importance of this particular phase of the general topic and to emphasize the attention we must begin to give to it.

I want to bring up one other thing. There was a graduate study made at the library of the University of California which compared the library standards of professional schools. The report contains some twelve or sixteen very interesting tables which tabulate the questions asked by various professional accrediting organizations. A reading of the above document and the available literature will raise problems to which law school librarians must give considerable attention. The most important of these is the matter of autonomy versus centralization. Maybe some day Miles Price will release his famous memorandum concerning this which he circulated to a few of his colleagues.

There are various things to be done along the lines of dimension and structure. In the area of collection it is interesting to note how few items are designated as law library standards. I should say here that American Bar Association criteria are used

rather than law school standards. But in the general area of collections there are basic things we do need to obtain, and these items might well be made up into a checklist.

I think the statement made by Ervin Pollack in regard to research activities in law libraries deserves a great deal of attention. Of course, there are a lot more factors which could be aired, but I want to conclude with a few main problems. I don't say the difficulties are insurmountable, but it will take some doing to achieve success. A most important problem, as far as I am concerned, is: can we establish one set of standards that will cover all types of law libraries? I have some grave misgivings on this account.

All of this brings me to my main thought. I believe we should devise a set of standards that we think are goals to shoot at and try to follow them as did the ALA and several other organizations. The matter of accreditation can come later. It is something we can develop gradually with the ABA and the Association of American Law Schools. If we set our goals and attain them we will be accepted on that basis.

One final point, I think this matter of certification of librarians is a very important part of our standards, and I think we need to give a good deal of attention to the qualitative standards of our law librarians and of our libraries in general.

CHAIRMAN ROALFE: Thank you Harry. Are there any questions from the floor?

MR. J. MYRON JACOBSTEIN: I noted that the first two speakers made no mention of qualitative standards for librarians. I wonder whether they would include them in qualitative standards for firm and Bar libraries?

CHAIRMAN ROALFE: Do you want to comment on that Miss Snook?

MISS SNOOK: I think I may have included that indirectly. Perhaps it is implied in drawing up high standards for your various factors other than the book factor.

CHAIRMAN ROALFE: Julius Marke.

MR. MARKE: I would like to address my question to the Chairman and to Mr. Bitner. I would like to know what position you will take in Washington on the question of autonomy for law school libraries.

MR. BITNER: We haven't consulted as yet.

CHAIRMAN ROALFE: We have not consulted, but I can answer very briefly. I think it is no part of the function of an accrediting agency to tell a college or a university how it must run its library. Its responsibility ends when it sets up criteria indicating what kind of performance should be achieved. Therefore, I do not agree with the statement of Mr. Hervey at all.

MR. KURT SCHWERIN: This is not a question but a supplementary remark about what Harry Bitner said.

The Medical Library Association published, in 1956, the second edition of the *Handbook of Medical Library Practice*. It is quite a comprehensive volume written by some dozen or more medical librarians, and it answers the questions which Mr. Bitner has raised. It takes up the problems of accreditation, education, training, etc.

I suggest that it is a volume which could be repeated in the field of law library service.

CHAIRMAN ROALFE: Are there any further questions or comments?

MR. ERNEST H. BREUER: I was impressed by Harry Bitner's statement on quantity. I am a little disturbed because no member of the panel has mentioned the dependence of one library on another; in other words, the interdependence, especially in a close geographic area. I think probably it does affect both the quantitative and qualitative standards in any library.

CHAIRMAN ROALFE: I am going to call on Miss Finley to comment on this.

MISS FINLEY: I should have said something about that, but it is implied. I did mention that the number of times a library is forced to send out for material is one of the tests of whether its collection is serving its purpose. If you can borrow and borrow quickly, it is almost as good as having the material on your own shelves.

CHAIRMAN ROALFE: Harry Bitner wants to add a word on that point.

MR. BITNER: I think this area should be given a great deal of consideration in developing any set of standards.

CHAIRMAN ROALFE: Miss Snook wants to get in on the act.

MISS SNOOK: I would like to make it unanimous and say you have hit on a subject we all had in our papers. Much depends upon local situations where these standards must be fluid and flexible. For instance, in the Chicago group where they have a cooperative effort, one library doesn't try to duplicate the holdings of another library. They work harmoniously together, in cooperation.

MR. BREUER: Thank you.

CHAIRMAN ROALFE: Do I hear any further questions?

MR. MILTON HIRSCHMAN: I have found that law firms are extremely interested in standards and the education of law librarians as well as the standards and the quality of their libraries.

To come back to Mr. Jacobstein's point, my feeling is that law firms are very staunch on the question of eligibility. They are embarrassed when they are not aware of the proper technique to apply when employing a librarian. Some law firms request their librarians to supply a set of standards.

CHAIRMAN ROALFE: Are there any further comments from the floor?

MR. WILLIAM J. POWERS: I just wanted to mention one point about acquisition. It is not nearly as difficult to get office equipment as some librarians might think. It is quite easy to persuade salesmen to install machines in your library by explaining that the installation of their company's products is good advertising.

CHAIRMAN ROALFE: I have restrained myself for just about as long as I can take it. You are going to hear from me, but I will be brief.

I have several observations. First, I want to comment on the remark about the separation of quantitative and qualitative standards. Personally, I don't believe you can separate these factors. You can't develop qualitative standards without taking quantity into account. Deans and administrators will ask, "Why do you say (in

your standards) that the library should have an adequate collection?" "I don't see why you make us buy all these books. We don't intend to use them even if we get them."

This raises the related question: Does a particular library adequately meet the demands made upon it? I don't think you can always ask this because sometimes the demand isn't adequate. The law office that doesn't have a formal law library doesn't know anything about legitimate demand; the law school that teaches without the use of the library doesn't know anything about it either. So the standards we have in mind would certainly have to take into account something other than the existing situation surrounding a library or they will not get anywhere.

My second point is that I would welcome any kind of detailed standards. They would have been very helpful to me in the kind of work I have done.

The last point I wish to make is that, as I understand the Pollack-Farmer proposal, it is not suggesting we adopt standards which must be arbitrarily followed by all law libraries. Rather it is suggesting we set up something to be used voluntarily. It recognizes the difficulties involved in applying minimum standards from the various branches of the profession.

I don't think we will have to meet the question of having a set of standards which would be adopted by libraries of various kinds. We would simply have to develop a set or sets of various criteria which we, as librarians, could apply to our own library or use for the inspection of another library. This would be far more flexible than a mandatory system that was geared to certify a library of a particular class.

I will give one more opportunity for questions from the floor.

MR. BITNER: To supplement the remarks made by Kurt Schwerin, let me recall that we have a manual for law library inspectors by Helen Hargrave. Since it has it has been in existence for some time, it might be brought up to date.

CHAIRMAN ROALFE: I feel quite certain the legal historians group are beginning to get anxious lest we overstep our time limit. Therefore, we shall adjourn. Thank you for participating.

(Whereupon, at 10:30 o'clock, the Tuesday Morning Session was adjourned.)

TUESDAY MORNING SESSION

June 23

The Tuesday Morning Session, a panel, "American Legal History—History of the Supreme Court of the United States," convened at 10:00 o'clock, Mr. Roy M. Mersky, Librarian, Washington State Law Library, presiding. Participants were: Dr. Joseph P. Blickensderfer, Administrative Editor, Oliver Wendell Holmes Devise and Professor Gerald Gunther, Columbia University School of Law.

AMERICAN LEGAL HISTORY—HISTORY OF THE SUPREME COURT OF THE UNITED STATES—A PANEL

CHAIRMAN MERSKY: On behalf of the American Association of Law Libraries, I want to welcome all of you

to the Fifty-Second Annual Convention.

Unfortunately, one of our speakers, Professor Fred Rodell, of the Yale Law School, was unable to attend our meeting today. However, we do have with us: Dr. Joseph P. Blickensderfer, Administrative Editor of the Permanent Committee for the Oliver Wendell Holmes Devise and Professor Gerald Gunther of the Columbia University School of Law.

I now present Dr. Joseph P. Blickensderfer.

DR. BLICKENSDERFER: Thank you.

Librarians have been described as "handmaidens of scholarship;" I might describe myself as a handyman for documentation. As my contribution to this panel discussion, I propose to take you on a brief excursion into the obvious and pass along a few of my experiences in locating, making accessible and examining, preliminarily, some of the earlier basic records of the United States Supreme Court. I begin, therefore, with the minutes of that Body.

The minutes of the Supreme Court present the official day-by-day account of the business that is transacted there. They provide answers to four of the five W's of reporting—where, when, who and what. These minutes became stylized very early, opening with a note of the date and place of the day's session with a center column listing the Justices present.

Usually, the first item of business contained in them is the admission of attorneys to practice. The cases to be considered are recorded next, each case being keyed to its number on the term docket. There are notes of arguments begun, continued and completed, of motions made and, finally, of orders issued. One kind of order leads, of course, to mandates; another kind deals with internal administration of the Court, chiefly Rules of Practice.

From the beginning until almost the end of the nineteenth century, hand-written minutes exist in two forms, sometimes called the rough and smooth versions. In a few minutes I will give you a little sample of one of the rough versions. One conjectures that the rough minutes were a true journal prepared by the Clerk at the end of each day's session. Some time later this material was edited and copied into the smooth minutes book by a professional copyist.

That the copying was not kept current can be inferred from a report, dated 12 February 1827, by the newly-appointed Clerk, William Thomas Carroll, describing the conditions of records in his office. He remarks on the confusion of files and offers suggestions for improvements and for bringing the records up to date. Later on, he memorialized Congress regarding the work he had done on the minutes and docket from 1800 to 1827. This resulted in the passage of a bill, on March 3, 1831, "for the relief of," an appropriation of $2,000 to Carroll rewarding his labors.

Carroll seems to have set a good example for his successors. Comparison of the rough and smooth minutes for later periods show only expected minor corrections.

The minutes of the Court have not been published, but the smooth version of them, with entries on Original Actions from the rough minutes,

are available on microfilm prepared by the National Archives. The forty-one rolls carry the material from the beginning through June 5, 1950.

After 1889, the minutes duplicate, for the most part, the *Journal* which began publication in that year with the initial entry for March 3, 1890. Unofficial information is to the effect that, at present, the minutes are no longer kept up as such, but that copy for the *Journal* is sent to the Government Printing Office each day during Term and returned the following day. At the end of each Term, the *Journal* is assembled.

For the most part, the minutes make very dull reading, but are invaluable, of course, as a reference for the official acts of the Court. A minor matter, for example, is the order of adoption of the Rules of Court, which can be placed chronologically only through reference to the minutes. Frequently headed as Orders, the Rules seem to be numbered haphazardly when numbered at all. For instance, the Rule adopted on March 3, 1803 carries the number 1, although it corresponds to Rule XVI in 1 Howard. The numbering is further confused by the practice of some reporters of including as Rules, the allocation of Justices to circuits.

Probably the best early cumulation of Rules is that in 1 Howard, which was used as a benchmark, so to speak, for Blatchford's *General Rules of the Supreme Court* . . . published in 1884. The next cumulation is that appearing in 21 Howard, based on the Order of Court of February 4, 1859: "Ordered, that the Clerk of the Court collect all the Rules adopted by this Court from time to time, that he designate those which are obsolete or have been repealed, that he arrange and classify all those now in force under their appropriate heads, and that he report the same to this Court." The revision and classification reduced the number of Rules from forty-nine in 1 Howard to twenty-nine in 21 Howard.

Incidentally, this is characteristic of the Court's way of doing business. There is no note in the minutes for 1859-60 indicating acceptance of the report made by Howard. The minutes for January 7, 1884, on the other hand, present the text of the thirty-three Rules which Blatchford annotated with historical notes.

The minutes include, in addition to the record of official actions on cases and administrative orders, resolutions of the Bar on such occasions as the deaths of Justices, members of the Bar and government officials, as well as snippets of information of more than mere antiquarian interest.

A minute entry for February 5, 1790 states the order that "Counsellors shall not practice as Attornies nor Attornies as Counsellors in this Court," and includes "do solemnly swear" in the oath. Next year, on February 7, 1791, the first Term held in Philadelphia, the minutes include an order permitting "an oath or, in proper Cases, an affirmation."

The word "or" separated Counsellors from Attornies until the barrier was broken by the order of August 12, 1801, that "Counsellors may be admitted as Attornies in this Court, on taking the usual oath." Previously, the Court had ordered, on February 5, 1799, that the name of John Hallowell

should be erased from the list of Attornies and placed on that of Counsellors. And on February 9 and 10, 1803, four gentlemen were admitted as attornies *and* counsellors of the Court.

Much work has been done, and a part of it published, on the various meeting places of the Supreme Court in New York, Philadelphia and Washington. One might hope that the minutes would show more than the city in which the "seat of government" happened to be.

For New York, the minutes show nothing beyond the city. In Philadelphia, there is note of meeting in the City Hall from February 8, 1792 to March 14, 1796. The minutes for the latter date are headed: "Pursuant to adjournment, the Court met this morning in the Common Council Room of the Corporation of Philadelphia." The Court met at least once in 1796 at the Statehouse, and held the last days of the August 1800 Term at the Courthouse. However, the minutes are seldom helpful in locating the Court in Washington beyond the city itself or "the Capitol."

Mention might be made of the entry for February 15, 1803 that a quorum could not be formed because of the indisposition of three of the Justices, and of the entry next day: "The indisposition of the Justices continuing, the Court adjourned from the Capitol to Stelle's hotel as being more convenient when the Court opened."

The fullest account of the meeting places of the Court is that prepared in the Library of Congress by David C. Mearns and Verner W. Clapp, which exists only in typescript. They have located the various rooms in the Capitol assigned to the Court and have made a particular study of the temporary quarters of the Court following the burning of the Capitol during the War of 1812.

Two more items from the minutes will suffice. One is a Resolution by the Court in the minutes for February 27, 1838, explaining that the Court cannot accept the invitation from the House of Representatives to attend the funeral of Representative Jonathan Cilley, because he was killed in a duel.

There is a long entry on April 15, 1852, presenting affidavits by William Thomas Carroll, the Clerk, and D. W. Middleton, his deputy, concerning the cause and extent of a fire the night before in the Clerk's office. Among other things destroyed by the fire was the volume of the Attorney Roll for the period December 1845–April 13, 1852. The burning of this volume accounts, no doubt, for the fact that the Roll does not contain the signature of Abraham Lincoln, who was, according to the minutes, admitted to practice on March 7, 1849. Neither the minutes nor the Attorney Roll show an entry for the admission of Daniel Webster as an Attorney or Counsellor of the Court.

As the minutes are the official record of the actions of the Court presented day by day, so the docket is the summary record of the cases entered and of the actions taken concerning them.

Like the minutes, the docket exists in two forms, the rough and smooth versions. The final entries in the smooth docket cannot, of course, be made until action concerning each

case has been completed. The cases are arranged in chronological order of the filing in the Clerk's office of the instrument which brought the case before the Supreme Court. The smooth docket has been microfilmed by the National Archives; twenty-seven rolls bring its entries down to June 5, 1950.

A serial numbering stamp has been applied to cases from the beginning, and these numbers are keyed to an index of cases by title prepared in the Library of the Supreme Court and kept in the building. Incidentally, the stamped serial numbers, in pale blue ink, do not photocopy well. For quick reference, the best procedure is to call Leo Jackson, give him the case title, and ask him to get the serial number.

Besides giving a summary of the actions in cases, with dates, the docket provides material for a quantitative record of the business of the Court. In connection with the National Historical Documents Project,* an examination of the docket is being made. The entries are checked against the Lawyers Cooperative Table of Cases to discover those not listed as reported. Of the first three hundred cases to come before the Court, covering the period 1790 to 1807, more than one hundred do not appear in the Table of Cases nor in the Appendix to 131 U. S. Reports.

The examination in the Committee's office is made only at odd times and has proceeded as far as 1823. The plan is to continue the inspection until operation of the law of diminishing returns suggests that the reports have become entirely adequate. Docket entries for unreported cases are copied out, and the list will eventually be multilithed.

The docket entry on a reported case, *Worcester* v. *Georgia* (6 Peters 515), will serve as a transition to a group of related records. The entries are: 1832 Jan. 6th, Record received and filed; 1832 Feb. 20th, Argument heard; 1832 Feb. 21st, Further argument heard; 1832 Feb. 23rd, Argument concluded; 1832 Mar. 3rd, Judgment of Superior Court reversed and cause remanded with directions; 1832 Mar. 3rd. On motion of Mr. Wirt, order that mandate issue forthwith; 1832 Mar. 3rd, Mandate issued to Mr. Chester for plaintiff in error.

This entry is chosen because it was made in 1832, the year in which publication of Records and Briefs began. From that time on, lower court case records of suits coming to the Supreme Court are easily available. For the period 1790–1832, the historian must rely upon what are called the case files, that is, the manuscript records, formerly kept in the vault at the Supreme Court, but now deposited in the National Archives.

Case files for the first three hundred cases have been microfilmed at the Archives, and the rolls can be purchased. This leaves a gap in easy availability of lower court records from 1807 to 1832.

The final docket entry in *Worcester* v. *Georgia* notes the issuance of the mandate to Mr. Chester, but only the manuscript case file documents the refusal of the Superior Court of the

* See Hogan, *A National Program for the Publication of the Historical Documents of the United States*, 52 L. LIB. J. 202–205 (1959)—Ed.

County of Gwinnett to accept the mandate.

Here is recorded the fact that "the said Court then and there refused to carry into effect the judgment of the said Supreme Court of the United States or to obey the said mandate or to grant a writ of habeas corpus to bring the said Samuel A. Worcester before the said Judge of the said Superior Court for the County of Gwinnett in said State of Georgia. And these deponents further say that the said Judge of the said Superior (Court) did also then and there refuse to permit his decision and refusals aforesaid or any matter touching the same, or touching any of the matters thereto appertaining to be entered on the record or minutes of the said Court, and there is therefore none of the said proceeding entered on the records of the said Superior Court or the minutes thereof of file in the Clerk's office of the said Court."

In form, the document is an affidavit made by counsel for the plaintiff in error who presented to Judge Charles Dougherty of the Superior Court the mandate from the United States Supreme Court. The action of the Georgia officials is well known and has been thoroughly discussed, but I have not seen citation to this document. It is about this case, as you know, that Thomas Jefferson said, "John Marshall has made his decision; now let him enforce it."

The minutes, the docket, and the supplementary case files and Records and Briefs are the primary reference materials for the history of Court actions. They provide the answers to four of the five W's. For an understanding of these actions, concerning answers to the fifth W, the why, the primary source is the opinions supporting—and dissenting from—the decisions of the Court.

Supreme Court reporting began, as is well known, in 3 Dallas 1. The first opinions presented are those in the case of *Georgia* v. *Brailsford et al.*, in the August Term of 1792. The four volumes prepared by Dallas and the nine prepared by Cranch are unofficial.

The first mention of an official reporter found in the minutes is the entry on Friday, March 22, 1816, the last day of that Term: "Ordered, that Henry Wheaton, Esq. be appointed Reporter of the decisions of this Court." This order preceded by almost a year the first act of Congress on the subject, that of March 3, 1817 (3 Stat. 376). The Act provides: "That the Reporter who shall from time to time be appointed by the Supreme Court to report its decisions, shall be entitled to receive from the Treasury of the United States as an annual compensation for his services the sum of one thousand dollars."

The important conditions attached are that the Reporter shall print and publish the decisions of the Court within six months after they are made, and shall deliver to the Secretary of State eighty copies of each volume without cost to the United States. Although the Reporter is, from 1817 on, an official of the Court, he is engaged in a semi-private enterprise, augmenting his gradually increased salary by sales of the United States Reports to the public.

There is implication in the chapter

on Law Reports in the United States in Hicks' *Materials and Methods of Legal Research*, that the Supreme Court decision in *Wheaton and Donaldson* v. *Peters and Grigg* in 1834 (8 Peters 591) ended Supreme Court reporting as a semi-private venture. Numerous later appropriation acts suggest, however, that the Reporter was expected to supplement his nominal salary with income derived from the contract made with the publisher of his volumes.

More investigation is needed to document the history of reporting, including the part played by members of the Court in supervising the presentation of head-notes and in the revision of their opinions. National Archives is presently working on some of the primary source material, the manuscript opinions. There are bundles of these, apparently delivered to the Clerk by the Reporter after his use of them in his volumes were completed.

From 1835 on, the opinions are easily available, for on March 11, 1835, the Court ordered that "All opinions delivered by the Court since the commencement of the term shall be forthwith delivered over to the Clerk to be recorded. And all opinions hereafter delivered by the Court shall immediately upon the delivery thereof be in like manner delivered over to the Clerk to be recorded."

The order continues with instructions for the delivery of the originals to the Reporter, with a transcript of the judgment or decree. There is no doubt that it was brought about by the loss of a good many opinions by the Reporter.

It will be interesting to learn more about the "sudden and unexpected appointment of Mr. Howard to the office of Reporter of the decisions of the Supreme Court, which took place the 27th of January, 1843, under the Act of Congress passed 26 August, 1842."

The above quotation is from the preliminary pages of the somewhat rare 17 Peters, which reports the same Term of Court as 1 Howard, that is, 1843. Mr. Peters remarks further and intriguingly: "He (i.e., Peters) does not venture to question the authority of the judicial action of a majority of the Court, present at last term, although the justices of the Court composing that majority were a minority of the whole members of the Court, when Mr. Howard was appointed the Reporter of the Court. . . . If the two justices of the Court, who were absent from indisposition, had been present at the term, no change in the office of Reporter would have been made."

The minutes show the Justices present on January 27, 1843 to be: Taney, Thompson, McLean, Baldwin, Wayne, Catron and Daniel. Those absent, from indisposition, were Justices Story and McKinley. No record of the voting has as yet been discovered in the files of the Clerk's office. One conjectures, however, that Justice Catron voted for Howard, for he provided the new Reporter with a list of errata four pages in length in his opinions in the 12th–16th volumes of Peters' Reports, to be inserted in 1 Howard.

In 17 Peters, the "late Reporter" counters with a letter from the printer which begins: "In accordance with

your request, I have examined the 'errata' published by Mr. Justice Catron, and I am happy to say that the trifling character of most of the alterations has equally gratified and surprised me. So ridiculous a specimen of hypercriticism has never before come under my notice."

An implied criticism of the new Reporter's practice sheds some further light on reporting: "All the cases in which opinions were given at the last term of the Court are contained in this (i.e., Peters') volume. The cases 'dismissed on motion' without argument; or in which the judgment or decree of the inferior Court was 'affirmed by a divided Court,' have not been inserted. Such cases were never included in the Reports of the decisions of the Supreme Court, before 1 Howard's Reports. They swell the list of cases, without use or benefit."

To summarize briefly, the Reporter, as late as 1882, was receiving a salary of $4,500 and an allowance of $600 for rent and expenses. He supplied three hundred copies of Reports free to the Government, and was required to sell his volumes to the public at no more than $2 per volume. By 1911, with the same salary, the Reporter was limited to $1.75 per volume in sales to the public.

A big change comes with the Act of July 1, 1922 (42 Stat. 816), which set the Reporter's salary at $8,000 "in full compensation for the services required by law," allowed him $3,500 for professional and other assistance on vouchers approved by the Chief Justice, and provided a room for him in the Capitol. This act provided also, for the first time, that thereafter, the Reports were to be printed by the Government Printing Office on requisition.

Somewhat doggedly I have described, or rather redescribed, the records of the Supreme Court which provide the foundation on which a history of the Court can be built. Except for the opinions, these reference sources are dry bones.

Another group of records, peripheral to the fundamental work of the Court, are those of the Clerk's office. Most of these records, to about 1885, are now on deposit at the National Archives and occupy some twenty manuscript boxes. Their contents throw many sidelights on how the business of the Court was conducted.

One file, especially, consisting of twelve boxes labelled "Correspondence Received, 1806–1885," serves to "personalize" or "humanize" the Justices, other officials of the Court, attorneys and numerous private persons having business with the Court. The letters reflect, for example, the politicking for appointment as Clerk or Reporter, the relations between these two officers, the difficulties experienced by the Clerk in getting his fees collected by clerks and marshals of the District Courts, the interest of the Justices in securing comfortable quarters in Washington and their complaints about high rents during the Civil War, comments by Justices on their opinions read in proof and a host of other personal matters.

Because they are arranged chronologically, the letters skip from subject to subject. I thought I might give you the flavor of them by selection of a

few to present directly as part of my discussion. I brought along some reprints which have been made from these various clerks' papers, which I thought I might read more or less directly.

Perhaps I should note that Elias B. Caldwell was the first Clerk to serve the Court in the city of Washington, and he died there on May 28, 1825. The first document I will mention is a letter he prepared evidentally in extremis:

> To the Honorable Chief Justice and the Associate Justices of the Supreme Court of the United States:
>
> When this shall be handed to you I shall be in the eternal world. I thank you for all your kindnesses to me personally and officially.
>
> I leave a large and helpless family. I believe my son James fully able to discharge the duties of Clerk. If you should see fit to employ him, it will be an entire relief to my family.
>
> I have the honor to be, with great respect, Your obedient servant,
>
> E. B. Caldwell.

Evidentally a number of copies were made up, signed by E. B. Caldwell and sent to the Justices. The following is found further along in the document:

> It has been deemed proper by the friends of James Caldwell to forward a copy of the above letter to each member of the Court and further to say that a recommendation in his favor on the part of the Court and bar of the District and from Baltimore will be made shortly.

In the meantime, Mr. William Griffith wrote a very handsome letter, with the kind of handwriting that looks as if it were copper plate, in which he offers himself to be the new Clerk of the Court. He was employed although the Bar did submit a statement to the Court recommending James Caldwell which contained a list of rather interesting signatures—William Jones, Francis Scott Key, William Worth, David Hoffman, Charles F. Mayer, R. B. Taney, J. Meredith, William Godwin and D. Raymond. The letter was sent to all of the Justices by James Caldwell.

There was one letter from Anne Chase about her brother who was applying for the position, and another letter from Samuel Chase's uncle, who wrote to Duval:

> I've just heard of the death of G. Griffith, Clerk of the Supreme Court, by whose death another vacancy has occurred in that office, and my nephew, Mr. Samuel Chase, the son of your old friend, Samuel Chase, lately a Justice of the Supreme Court, is again a likely applicant to fill the office.

This is a typical letter. There were a great many more. Whenever a Clerk or a Reporter died, a large amount of correspondence was received in which applications were supported by various persons.

Another record of the Clerk's office that I think is rather interesting, is a letter from Justice Catron to Mr. Terney of the Judiciary Committee, complaining of the Act of 1841 which authorized the Supreme Court to set fees charged by clerks in all of the United States courts. There was a continual objection to the amount of the Clerk's fees which were set at twice the fee for any state court. The Justices did nothing about it and finally Judge Catron wrote angrily to the Judiciary Committee: "The act was passed last summer and the bill is a matter of

great labor. I came here ready for my circuit, but not to act on the fees of other states." He added in large letters "Let us alone. Yours sincerely, J. Catron." He did not care to be bothered with setting fees.

Another item from the Clerk's office is a rather amusing burlesque of the rough minutes. It is perhaps the kind of journal which the Clerk kept, but did not copy into the smooth version. It is dated Supreme Court of the United States, January 26, 1853.

> Present as yesterday. Additional attendance, the crier, oppressed by a relapse into sobriety, a status inconstant with his wont. Two learned counsel moved severally that the number of the gentlemen of the bar be increased, one recommending two persons, the other, one person, suggesting a great paucity of gentlemen of the bar, whereupon the Court directed that the gentlemen proposed should step to the desk of the Clerk and be qualified.
>
> The process of qualification consists mainly in the payment of $5 to the Clerk by each gentleman propounded.
>
> The persons, by contribution between themselves, who had been proposed, raised $15 and, upon delivery thereof to the Clerk aforesaid as a condition precedent were admitted.
>
> Number 56. Case: The heirs of Kosciuszko [*Armstrong* v. *Lear*]. In this case an addition of one hour to each side has been allowed for argument. This has been done on an implied understanding that the gentlemen who are to address the Court will divide the time so as to disturb the slumber of the Court so little as may be, without entirely disregarding the interest of the parties litigent.
>
> Counsel for appellant, an able, worthy and pure-minded citizen by adoption of the only country in the world which knows no law, no restraint, opened the contestation by saying "May it please the Court, etc. The present Napoleon, Emperor of France, in a missive which he sent to the princess of the House of Hapsburg, whose hand and heart he sought, enclosed a pair of garters, whereon, under the eagle of his country, he inscribed these words: "My thoughts are fixed on things above."
>
> No Frenchman can doubt the sincerity of his declaration, although it might and would be doubted by a cold, ice-bound Yankee.
>
> The intensity of the declaration of the young emperor is nothing compared with the love of freedom which induced the eminent Kosciuszko to leave his native land, the palaces and the empress, within which and under whom he spent his early life, to adopt the institutions of a country where freedom and liberty have no limits and one cannot be subject to any known regulation.
>
> Whereupon the Court said, "We will advise thereon."

This is, I think, obviously a burlesque, but it does give a little flavor of the kind of thing that went on during the Court's session when the Clerk was taking notes.

I shall give you two or three items concerning reports and reporters. The most interesting group of items concerns the Dred Scott case and the interest concerning it.

The first entry is a letter from the office of the Associated Press, Washington, December 18, 1856, saying that the Press wished to have an abstract of the Supreme Court decision, after which Justice Curtis writes that he wants no publication of his Dred Scott opinion until he has seen a revision of it.

The next issue is a memorandum between Howard and Wendall. Mr. Wendall proposed to print twenty thousand Dred Scott decisions as a set of documents. Chief Justice Taney gave an order that no copies of the

decision are to be printed before the Reporter issued them in his own official file. Justice Curtis, however, says he wishes a copy of the decision to see for himself. He feels sure that Taney's order did not include his fellow Justices. Carroll clears with the Chief Justice and discovered that he has no intention of allowing anyone to see his decision until it is printed in the Court.

There are other interesting matters on reporting—the fact that the Justices were very much interested in the Reporters and their writings. Also, Chief Justice Taney urged the Reporter to issue his decision in the Wisconsin case, *Ableman* v. *Booth*, as a pamphlet because he thought people would be interested in it and not much concerned with the other items in the volume.

I have attempted to sketch for you some of the problems one encounters in dealing with these primary records. If you have anything, any scrap of information or any document dealing with the Supreme Court, write to me about it. It may be that we don't have it.

I have tried for several months to get hold of one brief by Thomas Washington in the case of *Denn* v. *Read*, which is reported in 10 Peters 524. It contains an interesting note that the brief was censured by the Court as reflecting on the character of one of the Justices.

CHAIRMAN MERSKY: Thank you, Dr. Blickensderfer.

Our second panelist is Professor Gerald Gunther, Associate Professor at Columbia Law School, whose field is Constitutional law. He was Law Clerk to Judge Learned Hand and to Chief Justice Earl Warren.

Professor Gunther, who is writing the Marshall period of the Supreme Court history, will speak very briefly on some of the research problems he has encountered in this work and some of the problems which have arisen.

PROFESSOR GUNTHER: The two authors involved in the Marshall period were selected about two years after the original group had been designated. I have a suspicion the delay in picking authors for the Marshall era was caused by compassion. You may recall Dr. Blickensderfer mentioning what happened in 1832, before my period. The opinions were started in 1835, which is exactly the end of my period.

We have gone into the records sufficiently to become aware of some of the problems involved. Fortunately, so far, most of the documents are readable since handwriting at that time is somewhat better than we would experience today. This makes reading a bit easier, all the way from the copper plate man down.

Our work, of course, will not be limited strictly to legal records. As was stated earlier, the plan is to cover a rather broad range in history and the areas of historical development involved as they affected the Court and vice versa. The scope will present massive problems of documentation and digging and will range from the smallest details to general trends and attitudes.

One of the small details that has already arisen concerns the spelling of Justice Duval's name, the man to

whom many of my documents are directed. The spelling of his last name (and he was one of the important Justices in the history of the Court) seems to vary from one L to two Ls. I obtained the few Duval papers in the Library of Congress. I thought I had the answer because two of the six documents are commissions appointing him to, in the first instance, the job of Comptroller of the Treasury, and then to Associate Justice of the Supreme Court. I looked at the comptroller appointment, duly signed by the Secretary of State and the President at the time. It read "Duval," and I thought that was it. I then examined the next paper, and there, in equally neat and impressive handwriting, it read "Duvall." This was also signed by the President and the Secretary of State. Perhaps I will have to count noses in order to avoid the undue printing expense of putting brackets around that last "L" throughout.

I will stop at this point and hope there may be a few questions in the few minutes remaining.

CHAIRMAN MERSKY: Are there any questions?

VOICE FROM THE FLOOR: I wonder whether, in the text of some of those early records, you run into any language difficulties. Are there, for example, any instances of foreign treatises being handled by the Court and not being understood?

PROFESSOR GUNTHER: There is a good deal of reliance on foreign treatises—old Roman volumes and French volumes, and so on. I have not investigated the language capabilities of the Justices.

Justice Storey, of course, tended to display his learning and rather freely quoted and cited from foreign as well as domestic treatises. Clearly, he seems to have known his way around them quite well. Others, speaking generally, seemed to be familiar with old law, certainly with Roman Law and treatises. I take it they must have had some sort of translation or intermede available to them. But I have not investigated their individual commands of Latin, French, etc.

Do you have any information on this, Dr. Blickensderfer?

DR. BLICKENSDERFER: Well, about 1832, the Court passed an order that all records from the lower courts must be adequately translated and presented to them in translation.

VOICE FROM THE FLOOR: The situation I have in mind is in the interpretation of the law where both Spanish and English versions existed. In this case, a decision was rendered according to English law. Two years later another decision was handed down, based upon the Spanish version. It said, in effect: "If we had known what the Spanish version meant at the time, we would have treated it in such and such a way."

DR. BLICKENSDERFER: The only information I have on the subject comes from the Director of the Hispanic Foundation. They are presently working on California land cases in which deeds are rendered in Spanish, of course. He remarked that the courts had relied upon official translations which were very inaccurate. Part of his job is to retranslate the codes and the deeds and other material of that sort.

PROFESSOR GUNTHER: In some of the

lower court cases you do get a goodly number of Spanish documents, particularly commissions to privateers in the early eighteen hundreds. Americans sailing under some South American flag, or under the flag of one of the new republics, became involved in price litigation in the courts. The communications which appear in the files are accompanied by translations. I haven't checked to see how accurate these translations were.

CHAIRMAN MERSKY: I would like to thank Dr. Blickensderfer and Professor Gunther for being here this morning. We, as librarians and legal scholars, are looking forward to the publication of the multi-volume history of the Supreme Court.

(Whereupon, at 12:30, the Tuesday Morning Session was adjourned.)

TUESDAY AFTERNOON SESSION

June 23

The Tuesday Afternoon Session consisted of two activities, held concurrently. A panel discussion, "The Teaching of Legal Writing and Legal Research," convened at 2:00 o'clock, Dr. Miles O. Price, Librarian of the Columbia Law Library, presiding. Participants were: Dean William C. Warren, Columbia University School of Law; Dr. Sheldon D. Elliott, Director, Institute of Judicial Administration; Professor Albert P. Blaustein, Rutgers University School of Law, South Jersey Division; and Professor George M. Joseph, Dickinson Law School.

A round table discussion, "Problems of Private Law Libraries," convened at the same hour, Mrs. Beatrice S. McDermott, Librarian, Dewey, Ballentine, Busby, Palmer & Wood, New York City, presiding.

THE TEACHING OF LEGAL WRITING AND LEGAL RESEARCH—A PANEL

CHAIRMAN PRICE: The subject of the discussion this afternoon is the teaching of legal writing and the use of law books in a law school.

We have an eminent panel with us: Dean William C. Warren, Columbia University School of Law; Dr. Sheldon D. Elliott, formerly Dean, University of Southern California School of Law, currently Director, Institute of Judicial Administration and Professor of Law, New York University School of Law; Professor Albert P. Blaustein, Rutgers University School of Law, South Jersey Division; and Professor George M. Joseph, Dickinson School of Law.

I have suggested that we approach our subject in this sort of order: the first speaker might state the problem —the lacks and deficiencies of the product of the law school—as seen by the superior officer in his firm or in his law office. The next panel member would describe the difficulties encountered by law school administrations in finding time for supplying instruction in legal writing and legal research. Then I have asked Professor Blaustein, as one of the more enlightened teachers of the subject, to give his views. Lastly, after having read an article by Professor Joseph in which he blasted the whole lot, I thought it would add variety if he would come here and say, "A pox on both your houses."

First Dean Warren will speak as a

practicing lawyer viewing the product of the law school. With a great deal of pleasure, I present Dean William C. Warren.

DEAN WARREN: As soon as we have a faculty meeting and decide that a certain course shall consist of certain material, the professor charged with the responsibility of giving the course goes his respective way and completely violates every principle the faculty laid down. He gives the course he wishes. I shall exercise, to some extent, the same prerogative today.

About four years ago I made a declaration that has proved to be quite controversial, in stating what I considered should constitute a so-called liberal education for one who is considering entering law school. At the time, I urged that students be required to develop skills in writing in the belief that it is an art in which even the journeyman lawyer must have a modicum of skill. I made this suggestion because I have become increasingly concerned with the apparent inability of our entering students (who are carefully selected from the upper echelons of the better colleges) to translate their thoughts into good, clear, concise prose. I know that some of my colleagues in other institutions have taken the position that their students are able to write. However, I can only tell you what the Bar thinks about this since I have talked rather extensively with many practitioners. Most members of law firms tell me that the young men who are coming to them today cannot write well. I think the situation has reached almost epidemic proportions.

As a result of my statement, I received letters which surprised me. They came from law school personnel and from representatives of all of the other science and graduate schools, endorsing what I said and urging action. I didn't issue this criticism just to incite academic debate, but I did hope to precipitate results. Perhaps we are now moving in the right direction.

I don't believe we can think in terms of improving the teaching of legal writing and legal research through any of the new technological developments on the horizon or through advances being made in the educational process. Progress here is something that can be accomplished only by using present techniques, and, except on a very individualized basis, I think we must continue to work at it from this direction.

It has been suggested the task be accomplished in the law school through law review work. Others feel that the law firms themselves can do the job. In the first place, law schools cannot handle many people in law review work. At best this accommodates only a limited number of students. If adapted on a larger scale, there is great danger in flooding the market with law reviews. When I was in London, Howard Drake told me he received 144 law reviews from the United States. This is a surprisingly large number.

From another viewpoint, I think law review students slip into a very stereotyped style of English, a very rigid way of communicating ideas, that I find takes quite a number of years to overcome after they start practicing law. In legal writing it is not

the object to try to squeeze ten pages into three; rather, one is attempting to communicate to two prospective clients the thoughts of the parties involved. This doesn't mean trying to save a lot of words by using cryptic sentences with footnotes. It means having thought the problem through and then setting it down clearly and explicitly.

I don't think the practicing Bar and the law firm can undertake to cure the deficiencies of the men that matriculate from law schools, either. They are beginning to complain about the problem since it takes three or four years to train a young fellow to write well. Large law firms are bidding for young people who do not require such training. New York law offices are paying $7,500 per annum for a prospect just finishing law school if he meets certain qualifications. Some law offices have given young men a two-week trip to Bermuda simply to obtain employees who possess some of the skills we are discussing. There has developed a sellers' market, as far as law schools are concerned, for the graduate entering a law office if he is above average and has the ability to write effectively. Employers do not treat this problem lightly; they consider it an important one.

I think the basic trouble here stems from a breakdown of our educational processes in some way, because I don't believe you can take students at the law school level and develop their ability to write. This is something that requires a number of years to develop. Training should start in elementary school and progress through college to assure a thorough grounding in grammar and rhetoric. If we go back to the grade school years and to undergraduate courses in colleges and insist that they produce students who can write and communicate their thoughts orally, we will get some results.

I would like to say this also. I don't want to overestimate the importance of legal writing, because I think the problem is basically 85 percent analysis and 15 percent composition. A legal document is one that has been considered thoroughly, well organized and then clearly communicated to all of the parties involved. As I said, analysis represents 85 percent of the work, and analysis is the law schools' job, in my opinion. Communicating in an orderly fashion to make ideas understandable represents 12 percent of the task. If a man receives good grounding in English grammar and rhetoric during the elementary phase of his education and through his college years, he will enter law school with the ability to express his thoughts. Upon this background the law school can build a thorough grounding in analysis.

How can we tackle this whole problem? At Columbia we believe the way to attack it is to impose minimum standards for admission through the College Entrance Examination Board. We have recommended to the Testing Service that they develop an examination which will measure a student's knowledge of grammar and the fundamental structure of the language as well as his skill in its effective use. We have also recommended that the examination be completely independent of the present law school admission

test, because the existing test is concerned with aptitude. The gauge I am concerned with is solely a measure of achievement. It is not an aptitude test. Here we break with the Harvard Law School which suggests an examination combining achievement and aptitude. We don't think this is possible.

Only with great reluctance would we refuse to admit a student who did not possess the qualities we are discussing here. I say this because in analyzing the abilities of those who have gained monetary success at the Bar, you discover there is not necessarily a high correlation between writing skill and income. However, if you scrutinize the persons who have achieved real distinction in the literature of their chosen field, I know of no case where the ability to express one's thoughts clearly and forcefully is lacking.

Now, to get back to testing for writing ability, what do we hope to accomplish by such action as we have described? If we require that students display some degree of excellence in English grammar before they can gain entrance to law school, the colleges will begin to pay attention to basic writing skills. Once the colleges become interested, they will force secondary schools to examine their programs. The problem will solve itself.

As far as the teaching of legal research is concerned, I think law schools are doing a fairly good job, and I believe a number of the law firms agree. It seems to me that graduates of law schools have received thorough grounding in the methods of legal research. There is one difficulty, however, which relates to the quality of research being sponsored. A good amount of it seems to be superficial. This is due, largely, to the trend in our school systems today. We are developing too many cursory courses (I always refer to them as survey courses) rather than depth courses. We are going through a period of transition towards superficiality instead of searching for depth.

Colleges should train the student to plumb the depth of a subject, to trace back to original sources, to discard all reverence for the written word in order to encourage independent thinking. This is the very essence of education. It is something quite different from the mere accumulation of miscellaneous facts. It is not too much to insist that training in law be the capstone to an enlightened, vigorous educational process and not its cornerstone.

I am going to say something aside here which I know will not fall on completely sympathetic ears. But I believe it needs to be said. In the field of legal research, too little attention has been paid to the technological progress that has been made in library work. I am shocked when I am told there are more than one million cards in the catalog of the Columbia Law School Library. There must be some simpler way of handling this terrific task. There must be. After all, great progress has been made with all kinds of machines; some of this progress must be applicable to libraries. New methods may be a little more expensive at the outset, but certainly the opposite would be true in the long run. I know something can be done be-

cause I am acquainted with a firm which maintains a tremendous scientific library which keeps a complete catalog of every scientific publication issued—in all languages. They use machines to accomplish this task. The whole problem of legal research needs to be investigated. We have such a vast body of decisions to review, and you law librarians are going to have to help the profession find a way out.

Getting back to legal writing and research in law schools, up until twenty-five years ago we in the law school world had always taught a certain basic set of courses. Recently, there has been a great proliferation of new subjects added to the curricula, including legal writing and legal research, atomic energy, etc. I believe we must contract this proliferation and return to a hard core of courses. I do not like to see law schools attempting to develop extensive legal writing and extensive legal research programs. From the standpoint of the profession, the law schools and the law library people are doing a pretty good job with what they have to work with, but their material isn't what it ought to be. Therefore, it is imperative that law schools insist that basic skills, basic writing and research skills, be acquired prior to admission, even although such acquisition be costly.

Beyond this we should like the student imbued with the idea that learning and discovery are one. As Daniel Webster once said, "The power of clear statement is the power of the Bar."

CHAIRMAN PRICE: Our next speaker is Sheldon Elliott, former Dean of the University of Southern California School of Law, Professor of Law at New York University and Director of the Institute of Judicial Administration. He is going to talk about the problems of research courses in the law school curriculum.

Any of you who have ever sat in on faculty meetings realize there are a great many vested interests which would have to be displaced if the courses many of us wished to see added to the curriculum were adopted. Our programs are already seriously overloaded. Dr. Elliott, I have no doubt, will stress this point and elucidate.

DR. ELLIOTT: Now, I am not a betting man, but I would venture a modest wager that no subject in the law curriculum has taken a rougher chiding than legal research—or legal method—or legal bibliography—or whatever it is labelled. I'll give equity the runner-up spot, but even after it has been drawn, quartered and parcelled out, or merely excised and redenominated as "remedies," it seems to have accepted its fate. Legal ethics and common law have been pushed around a bit, too, although they now survive in more appropriate modern guise. Research and writing, on the other hand, continue to be the problem stepchild in the curriculum family. It's not just the dean's problem, it's everybody's—and everybody has a different idea as to how it should be nurtured. Just flip the pages of the thirteen volumes of the *Journal of Legal Education,* and you'll see how right I am.

Traditionally, the course in legal bibliography has been the law librarian's baby. Students in their first year,

given a good nose-rubbing in the reporter systems, the *American Digest, Corpus Juris,* statutes, *Shepard's Citations* and the selected case series, emerge with a somewhat kaleidoscopic knowledge of basic research materials and a morbidly hopeful pride in being able to distinguish among them. All this creates dean's problem number one: Does the law librarian, if not otherwise entitled to it, thereby acquire faculty status? Problem number two (for everybody): Should the course carry credit? Problem number three: Why, and if so, how much? If given no credit, the course's appeal to student enthusiasm can be written off as negligible. If credit is allowed, how many hours for it, and should its grades be posted in the tote-board of scholastic reckoning along with the so-called "solid" courses?

By way of venturesome departure from tradition, many law schools have experimented, and are still experimenting, with alluring alternatives. Far be it from me to question their success or their effectiveness. My first query—and I draw and shoot this one from the hip-safety of an ex-dean—is, where do you get the manpower to do the job, if it is to be done as it should be done? My second query—and I'm still shooting from the hip—how can you justify it in an already seam-bursting budget and an overloaded curriculum?

Let's take my first query, and consider the alternatives. Number one: Give the first-year course in legal research and writing to one of your older faculty men, and free him *pro tanto* from the subjects he'd much rather teach. The chore of devising research problems, checking solutions, editing re-writes, and in-between counselling, is going to drive him into enthusiastic acceptance of the next rival-institution offer that comes along.

Number two: Give it to your junior faculty member; same result, with alacrity.

Number three: Pick a number, any number, of young lawyers as graduate assistants and let them do the spade-work with groups of students. You're bound to get a spectrum of tutorial competence and the inevitable inequities thereby entailed.

Number four: Use the abler upper-division students as group tutors for the first-year research and writing projects. But if your better seniors and juniors are already working on law review, as they're apt to be, you'll have difficulty justifying the added burden of detail work for them. You will be forced to fall back on the just-below-law-review level group, and this, in turn, means second-rate supervision of the first-year projects. I may add, parenthetically, that the Council of Legal Education is casting a jaundiced eye on the hours of outside work that students are supposed to be carrying during their spoken-for work week. This would complicate the job of the Council.

Number five: Spread the work around among the entire faculty, by cajoling or bullying them into incorporating research and writing projects in their regular courses. The varying degrees of enthusiasm with which this idea is greeted will insure that, like the parcelling out of equity, the subject will be given a grudging and per-

functory treatment by those teachers who are set in their ways and who resent outside intrusion into their accustomed teaching methodology. Of course, I'm being over-harsh in my generalizations.

Each of the above alternatives has been used and is being used with apparent effectiveness in some schools, if we can judge from the persuasively explanatory articles in the *Journal of Legal Education*.

There is, however, from the dean's standpoint, the second problem: how to fit the program into the budget and the curriculum. If a single faculty member takes on the entire responsibility, his course-load will have to be reduced accordingly, and someone else will have to be hired to help fill the gap. If, on the other hand, young graduates are to be employed to handle the subject, competition in the market for their services at present hiring rates will require a substantial sum to make the assignment attractive to them.

Either alternative will require the dean to justify a budget increase, and this may mean a battle on two fronts: one with the overall university administration, and a possible second with the faculty who may understandably feel that any increment should go into needed salary raises.

I have already alluded above to the curriculum problem posed by research and writing: credit versus no credit, and if credit, how much; and should the grades be counted in the grade point totals, or should there be merely a "pass or fail" allowance? If the course demands, as most of them do nowadays, demonstrated analytical and reasoning ability as well as synthesis and clarity of expression, as compared with mere factual information and retentive memory, then it should be given grade credit and weight.

This means that, if required in the first year, it will be competing with other first-year courses for a proportionate share of the total course-load. Since there isn't too much flexibility, and since the old-guard subjects—contracts, torts, property, criminal law and procedure—have an already established hegemony, any beachhead gained for research and writing will have to be carved out of their domains and hardily defended in all subsequent meetings of the faculty curriculum committee. Eternal vigilance thus becomes the watchword of the research and writing protectionists.

One special problem should be noted. If the law school operates a part-time evening division, the difficulties of fitting it into the first-year curiculum are severely aggravated. The time required for adequate student participation, and the needed additional manpower for instruction and supervision, are problems that challenge the hardiest of deans and may nudge him toward a to-blazes-with-the-whole-idea escape hatch.

Into this somewhat sombre outlook for research courses in the law school curriculum, let me project a bright ray of hope. Dean Warren has already scintillated a little bit. The time is not far off, we are assured by the experts, when all the law can be reduced to punch-cards or tapes. These can be fed into a sort of Univac, Esquire,

which will produce research results in a split-second with infallible accuracy. Law students and lawyers will merely need a short course in the care and feeding of computers, and the transistors will take over from there. This will easily resolve phase one of the dean's problem—except for fitting into his budget the cost of a vest-pocket computer.

A solution to the second phase of the problem, how to insure good legal writing, can't be too far behind. Machines are now being perfected to translate from one language into another by automatic cerebration. All we shall need a few years from now, is a machine that will translate a student's, or a lawyer's thoughts into faultless grammar, flawless syntax and impeccable spelling.

Even then, I fear, there will still be an inexorable problem for the dean and faculty: How do you get students to think?

CHAIRMAN PRICE: I have talked with Professor Blaustein who happens to be a Columbia graduate and a former student of mine. I was highly impressed with his ideas and prevailed upon him to give some of them today so we can see how deftly he solves all of the problems upon which our interest is centered this afternoon.

PROFESSOR ALBERT P. BLAUSTEIN: I was thinking, as my fellow panelists were speaking, about the clergyman with a tremendous reputation for learning in his community. His wife suggested that she would like to acquire a great deal of learning too. She decided the best way to achieve it was to sit by her husband's side as he advised his parishioners. One day a husband-and-wife problem developed. The husband came first and explained his quandry. The clergyman nodded his head and said, "You are right; you are right."

A few moments later the husband left and the wife came in. She explained the problem from her point of view. Again the clergyman nodded his head and said, "You are right; you are right." The clergyman's spouse said, "That is interesting, very interesting, but how can both he and she be right?" The clergyman answered, "My dear, you are right; you are right, too."

I tell you this because Dean Warren is right, and Dean Elliott is right. I spoke to Professor Joseph before we came here, and he is right, too. We are all right.

We know that students can't read and write when they enter law school, and they can't read and write when they leave law school. This is not wholly a problem of legal education. To find the cause we have to go back to the colleges and perhaps even back to infancy. However, we can do something, and let us do everything possible to solve this dilemma. Dean Elliott has pointed out some of the questions that exist, but I suggest that deans have worried about budgetary problems before, and somehow they have solved them. The status of legal writing might even be more important than a new course in atomic energy.

I have listed what I consider to be five basic principles which we should follow in order to do as good a job as possible in connection with legal writing abilities. We can't do it all,

but I believe we can make a tremendous step forward. I think the first principle which we must pursue is to recognize that there is an area of instruction in legal research and legal writing, and that this entire field is a high-grade specialty which should be left to specialists.

By this I mean we should say to those charged with the responsibility of teaching legal research and legal writing, "We give you the same authority, the same salary, the same everything, to teach these subjects that we give to those who teach torts or contracts, etc."

This isn't done, and we know the end product is a sorry one. The dean becomes concerned, the faculty becomes concerned, and soon a meeting is called. As the two factions consort together they come up with all sorts of gimmicks because they have not had experience in this area of instruction. They have not observed the problems involved. Nevertheless, they go ahead and advise others how to teach these subjects.

Why don't faculty members and deans consider legal research and writing important? Why do they fail to hold the status of instructors in these fields at the same high level enjoyed by the fellow tort contract or commercial law professors? Well, it is partially because legal research and writing are fairly new subjects in the law school curriculum. They are sort of compromise subjects which are not part of the traditional pattern.

But this is not the main reason. The chief reason is that every law professor styles himself a master of legal research. The worst insult one can give a law teacher is to say he is poor in legal research. The second worst insult would be to hint that he does not write well about the law. Every professor believes he is a talented researcher and an excellent author. This is all very unusual, because you meet many tort professors who admit they don't know anything about property. Most professors of international law will brag they don't know anything about contracts. When it comes to legal research and writing, however, every professor is an expert and an authority on what should be taught.

We know this isn't true. We know law professors and sometimes law librarians enter the library to research without knowing what they are doing. Of course, a great many of them will come up with the right answers. They may have the correct answers, but they don't arrive at the conclusions smoothly, efficiently and in a coordinated manner. They miss too many things. They have to go back over and over again. They are not sure when the job is done. Therefore, they are not in a position to teach the subject even though they know a good deal about research. Furthermore, the fact that a professor is good at research and writes well, does not mean that he would be successful at teaching these arts. Conversely, there are some wonderful professors of torts who would make terrible negligent practitioners.

What happens eventually is that the faculty experts get together at faculty meetings and decide upon a person to assign as instructor in research. They assign the chore to some old professor or young junior asso-

ciate. Why don't they want to do it personally? Because they won't soil their hands on such an unimportant subject. So it falls to the lot of a minor instructor, or the librarian is asked to take on an additional duty. Of course, the librarian immediately wants to know who is going to mind the shop while he is busy elsewhere.

Can librarians teach legal research? Of course they can, and so can a great many young instructors who are just out of law school. But not without experience. Skill in this field requires training just as it does in any other field. By the time junior professors become adept in teaching legal writing they are ready to become senior professors, and they lose their taste for legal bibliography.

Now that we have stressed the subject's status, we can proceed to the first principle in developing an effective legal writing program. The initial step, you will remember, is to obtain people who are high-grade specialists in the art, and give them commensurate position and status on faculties.

Principle number two, as I see it, is the realization that legal research and legal writing are not two different things—not two different courses. Indeed, there are differences between them, obvious differences, which we need not detail here. But basically, legal research and writing are titles describing the same educational effort. They should be under the control of the same faculty member.

Why do I say this? Because the knowledge of when and how to use law books is indispensable to any kind of legal writing. One has to know his tools. Legal research, even if you call it legal bibliography, should not be taught in a vacuum. It is not a Cook's tour of the law library. Legal research is not properly taught or properly learned unless the student has an opportunity to sit down and coordinate what he has studied by handling law books. It is only in legal writing courses where he engages in the process of authoring a solution to some legal problem. Here he has an opportunity to think through, to coordinate what he has discovered and learn what he has not discovered, as he makes his romp among the basic law books.

Principle number three: Learning effective legal research and writing is a long, hard and dull process. Dull, dull, dull. We work to try to enliven the task, but we still can't make it fun. All we can do is to make it a little less hard and long, and possibly a little less dull.

Failure to recognize this principle has led to the creation of all sorts of gimmicks, all designed to reduce the length of time we devote to our courses. There is yet to be found any kind of substitute for hard work. We have no "hornbook." We can't give a student a textbook and say, "Memorize this type and you will know what it is all about." We can't give him lectures and have him copy notes to make the road easier. We need to drill, drill in the use of law books—have the student pick up an individual volume, examine it, handle it, etc. Without this automatic use of books and without this drill which instills automatic utilization of books, a student's mind is not free to think

about the legal problem. If one is doing research and has to think, "What book am I going to use now?" he loses sight of the basic principle.

As Dean Warren pointed out so well, legal research and legal writing are 85 percent of the attorney's job. A student's mind is free for analysis only if his use of the tools is automatic. To accomplish this it requires drill, drill, drill which is dull, dull, dull.

Principle number four comes directly from this. We have got to use the kind of teaching process which will foster self-education in the legal research-legal writing field. We must give lectures on how to use law books. We must show students what law books look like. We have got to talk to them about the different forms that are involved: that a pleading is not prepared the same way as an opinion letter; an opinion letter is not prepared in the same manner as a memorandum of law; and a memorandum of law is not prepared the same way as a trial brief. We have to demonstrate all of this in terms of lectures. But most of the real learning will come in the form of doing. We have to do more than tell the student that Shepards are the best citators—over there are the big red books, go ahead and use them. We must assign drill problems requiring the student to pick up a Shepards and answer certain questions using this material.

In legal writing, we come upon the same principle. A student learns best by redoing. The test of authorship is never in the writing, but in the rewriting. Yet, we cannot expect anyone to learn to write and rewrite by himself. We need to give him supervision, and this is where the specialist plays his role. This cannot be left to someone without experience. It should not be assigned to junior associates on faculties or graduate student assistants.

The student must prepare a paper, and then we must go over it with him and ask "Why did you use this case?" "What is your authority for this statement?" "Why did you put point three here rather than in another place?" If our legal writing is supposed to be clear and concise to bring home a point, it is just as important where we put our point as how excellent our grammar may be.

In too many programs students prepare papers, and they are merely graded. Occasionally we go a little further and add marginal notes such as, "Why did you do this?" or we dot a few i's and cross a few t's, and return the effort to its author. What we should do, of course, is to have the student submit his work. Later the professor should go over it with him to delineate room for improvement. After this the paper must be done over. A process which gets duller and duller.

At Rutgers we attempt to reduce this dull routine. We have the legal scholar prepare five different papers all based upon a general problem—like tobacco cancer. He comes up with a memorandum of law. Then we say, "Write an opinion letter to your client on this," which, of course, has the virtue of forcing him to rethink his problem in another legal format, with different types of phrasing, etc. As he attacks his problem from different pros-

pectives, based partly on the different types of jobs he is doing and particularly upon the consultations which are held, he finds new cases and discards old ones. By the time he has finished with the five papers by following up the basic office memorandum of law and opinion letter with a complaint or some type of pleading and then preparing a trial memorandum followed by his appellate brief, we have a different type of research product at the end of the semester than we had at the beginning.

Principle number five: It is more important that we teach questions than that we teach answers. Not knowing how to use law books is bad enough, but not knowing when to use them and when not to use them is worse. For in research we must know when our job is finished; when there is no need to go any further; when we have exhausted a text; and which books do not require search.

It is not the grammar and punctuation or even the clarity of answers that should concern us most as teachers of legal writing, but whether the student can see the problem and know what volumes to consult for an answer. We have good library assistants to show us where the books are, but the lawyer himself must decide when he is going to use Shepards to find other cases in point and when he is going to use it to test the validity of an authority.

In legal research we teach that there is a topical approach and a word index approach, but it is more important to demonstrate when one line of attack is better than the other and how one method can be used to check on the other. So there is a "when" process as well as a "how" process.

I believe that we cannot do the whole job in law school. Students come to us who are crippled because they have not learned English grammar at the college, high school and elementary levels. Still we can accomplish a great deal, and this is in the hands of a teacher of legal research and writing. This is why these subjects deserve the serious consideration awarded other courses in the curricula.

If the teacher of legal writing and research goes about his work realizing that the task is a bit dull and the student must be subjected to a certain amount of drill, it will help. If we give the student an opportunity to learn by doing and redoing; if we give him certain supervision and aid him in preparing problems over and over again; if we are able to teach him to recognize problems as well as some of the methods of solving them, I think we can go a long way toward improving our entire legal research and writing problem.

CHAIRMAN PRICE: You have heard an excellent statement on the credo of an outstanding teacher of the topic of our discussion this afternoon.

Some time ago I read an article criticizing the present methods of teaching in this field, and it struck me as being provocative. I certainly didn't agree with it all, because I would be a traitor to my profession if I did. But when I was asked to get this panel together, I immediately thought of Professor George M. Joseph of the Dickinson School of Law, the author of my article, who will now proceed to demolish the house of cards

so ably set up by Professor Blaustein.

PROFESSOR JOSEPH: Professor Price has seen fit to give my colleagues on this panel relatively non-controversial tasks, and he has put me in the position of a sitting duck with the job of insulting librarians by telling them what is wrong with a course most of them have taught, but which I never have.

With the exception of Professor Blaustein's remarks, I had no prior knowledge of what the other panelists were going to say, which proves this is a show where things are on the up and up.

I will take issue with Professor Blaustein only indirectly in my remarks. It serves me better to simply ignore the problems raised by Dean Elliott, crucial as they are. The place for me to begin is with Dean Warren's analysis. I shall avoid discussion of "methodology" so far as possible, because I believe that reducing any discussion to that level at the beginning is necessarily almost fatal.

I am not going to deal directly with analysis of that. However, I would pose a question. I have a sneaking suspicion that law firms are only research happy when what they really want are file clerks. This strikes me as not a facetious statement in spite of the fantastic sums offered recruits—sums considerably in excess of what I make as a teacher. Nevertheless, I wonder if what law firms want is the sort of thing they find they don't get. Possibly part of the trouble here applies to the type of person they are searching for rather than the lack of talent they lament.

I certainly agree with Dean Warren concerning the language deficiencies of law school graduates. But I would like to be a bit more fundamental and give, briefly, some of my thoughts about what is wrong with students when they come to us from the colleges.

As Professor Price said, I wrote an article which he believed criticized legal writing courses. I really didn't mean it that way. Actually, I was intrigued by Dean Warren's statement in 1955, in which he mentioned how Columbia, at some cost, has allegedly succeeded in curing some of the deficiencies in students entering the Law School. Mind you, if students come to Columbia with deficiencies, in what shape do you suppose they enter other law schools?

When I refer to Columbia, I hope you appreciate the remark as representing the cream of the crop. I have been in one law school which represented sort of the sour dregs, yet we got a product, if we follow the above description, that was exactly like the Columbia student.

Most of us in legal education attribute our difficulties to the inadequacies of undergraduate collegiate education. There is really very little we can do so long as the traditional separation between liberal education and professional training is respected, and I offer very small hope that the separation will ever pass away. Be that as it may, we still have some legitimate complaints. One of my favorite ideas comes from my old teacher, Karl Llewellyn, who once said: "I yearn for the day when I shall not have to spend the first one-half of my teaching of law trying to teach students to read."

Now, at the same time Karl Llewellyn was trying to teach students to read, somebody else was trying to teach them to write. This seems to me to be an impossible balance of tasks. If Llewellyn's comment is accurate, and I think it is, then this is certainly a general failure of pre-legal education. I remember well some rather critical remarks this instructor once directed to a classmate of mine. The precise words are forgotten, but the tenor of the indictment was that students are, typically, dolts without the ability to read, write and think.

Of course, these are not just Karl Llewellyn's comments. Dean Warren said, in 1955, and I quote: "We expect a college graduate to be able to read argumentive and expository prose swiftly, comprehendingly and retentively; that he be able to express himself in speech and writing. But we have found that few of our entering students, however carefully selected, possess these skills to the extent needed for law study. What is scarcely less disturbing is that there is in this group no common core of knowledge that should be in the firm and quiet possession of every person who lays claim to a liberal education."

Notice the emphasis. Perhaps it is not intended, but this is the way I read it. In the first place, the student can't read. In the second place, he can't express himself in speech or in writing. And then, overriding all of this is the fact that he doesn't know anything. I submit that perhaps Columbia's way out of the conundrum is to close its doors along with the rest of the law schools. Of course, we are not going to do that, I trust.

In a statement made by the Association of American Law Schools on pre-legal education, this objective was generalized: "Pre-legal education is concerned with the development of basic skills and insight. It thus involves education for comprehension and expression in words; critical understanding of the human institutions and values with which the law deals; and creative power in thinking." We all agree that these are nice objectives, and we all agree that we are not getting that product in the law school.

At the outset, one has to admit that law schools would find it impossible to correct all these deficiencies. So, to some extent, we must make do with the materials colleges send us. In fact, legal writing and research programs in their various guises constitute almost the only concentrated attack legal education has made on the problem, and one must issue a caveat at this point concerning the actual attention given to writing courses.

Not all, or even many, legal writing programs are as thoughtfully conducted as the program Professor Blaustein describes. And, of course, Professor Blaustein does not expect this sort of work to be achieved in more than a very few law schools. But, we all have to attempt to improve things a bit through our writing courses.

Now, turning to the programs themselves, the first question which must be answered is, What function does legal writing training serve in the legal curriculum? Approximately two-thirds of American law schools offer something intended to be a legal writing program. The other one-third offer only legal bibliography in the first

year, with the purpose of acquainting new students with the library and the use of law books. Some schools have what might be called formal research and writing courses, where the end is some training in legal exposition beyond mere acquaintance with the tools of legal research. Parenthetically, I might say that the moot court program in some schools is intended to serve this function, plus training in competitive public speaking.

Under the rubric of "Legal Method," an increasing number of law schools are offering courses which run the gamut from mere legal bibliography (under a happier name) through research and writing courses, to broadly oriented courses about the law, law study and legal writing. In my opinion, it goes without saying that, to the extent that legal writing is a desirable distinct program, the broad legal method courses must be the better ones.

At the risk of alienating everyone, I would like to give you what I regard as a few self-evident truths. First, legal bibliography or whatever you call it in the catalogue, is an utter and absolute waste of time. It is no answer to suggest that the one hour it requires is not much time to sacrifice. In the modern curriculum any wasted hour could be put to more profitable use. If this statement insults most of this audience, I can only say that the insult is fully intended.

It is impossible to do an effective job of teaching writing beyond mere exposure to the task, unless the fundamentals are present as a basis upon which to build. Writing practice and grading are not substitutes for skill, and writing skill is pretty hard to teach, especially against resistance. Furthermore, I am not even sure that writing, per se, is a desirable end, although I am not prepared to develop this argument fully, so perhaps this truth is not self-evident.

Let me say that if one assumes that mere training in legal exposition is the objective, then this type of work can better be done in seminar studies during the second and third years of law school. If the objective is, as I believe it should be, to attempt to rectify some deficiencies in the raw material, then legal writing is simply not the proper vehicle. Certainly we could all agree that there are things more fundamental to professional training to be offered in the first year than legal writing.

It follows that the best writing course is the broadest course. That is, the best writing course is one where the writing aspect is incidental. In any event, attention to writing is of limited value, unless very close inspection is accorded details of style and method, aside from substantive content.

Few law teachers, and I certainly include law librarians, are equipped to teach these aspects of writing. They lack talent, time and inclination. I don't think the typical graduate assistant, teaching fellow, or tutor—whatever you may call him—is very useful. My own limited observation of tutorial programs makes me think there is not enough good tutoring of private instructors. I understand the tutors at some of the universities have only the advantage of authority vis-à-vis their students. I know that

the legal writing training to which I was exposed was just slightly better than useless.

Finally, I would like to mention a point that is probably the most important consideration. Student attitude toward legal writing programs is at a low ebb, and that sort of attitude is hard enough to overcome for even the most skilled teacher.

Returning to Dean Warren's statement, which I quoted earlier in my remarks, I note that the basic problem of law students is a problem of fundamentals, of weaknesses that are liable to persist pretty much unaltered unless they receive serious attention in law school. Such attention has to come early. The first problem to be solved is the development of educational objectives in detail beyond narrow professional training. This means we need to recognize the specific weaknesses we want to correct and which we can correct. At the very least, it seems to me, it means we must develop better tests than exist at the present time, and that we should, perhaps, try very early to get to know something about the individuals we accept, by way of interviews.

We should aim toward getting sight of weaknesses in individuals. It may be that the greatest infirmity in one individual will be his inability to write. In others, we will probably find still different fundamental skills have to be developed. If some students can't read, I suggest that it is absurd to try to teach them to write. We may find students who meet our present entrance requirements, but who lack the more fundamental ability to study or learn. We must get rid of weaklings.

It is conceivable that the broad legal-method-sort-of-course serves a valuable function now. It is possible that, within the existing framework of such courses, more attention to the sort of thing I am interested in can be achieved. However, I can't avoid the impression that most of the work now being done in legal writing has been reduced to nearly the same make-work level as legal bibliography.

On the program I was assigned a critique of present teaching techniques. I have been far more general and less to the point than the description would indicate. I have done this because I think present teaching techniques are somewhat beside the point. The true problem is one of objectives, and I take it we can agree that in the first year, at least, there are two acceptable objectives.

The first goal is the long-range one of beginning training which will lead to the production of well equipped lawyers. The second one is as important to us, and it is to develop better law students. I am inclined to believe what is most desirable is getting students off to a better start in law school.

Recently, I have been working on the general problem of orientation. While I do not choose to go into this aspect of student training, I would like to mention my article on orientation in the last issue of the *Journal of Legal Education*. This is not only a way of getting some people to read the article, but I would call your attention specifically to the brief statements I make there about Columbia's Legal Methods course, Professor Snee's testing work at Fordham and Alex-

ander Brooks' superbly conceived program at Rutgers. There are ideas in those programs which deserve further attention.

My closing critique is very brief. Forget legal bibliography, get away from training in legal exposition and back to more fundamental objectives.

Since I am the only one who has been called upon to say anything the least bit controversial, I can imagine some of you may wish to take specific issue with me during the question period.

Thank you very much.

CHAIRMAN PRICE: We have a little less than a half hour for the question and answer period. I am going to ask you to be brief.

I see Mr. Breuer of the New York State Law Library has his hand raised.

MR. ERNEST H. BREUER: Who teaches the instructors you have been talking about?

PROFESSOR JOSEPH: I had the best teacher in the world. I went to work for Judge Rothman. He said, "Here is the job, do what you can with it." After I submitted the results to him, he would comment, "I can't use this because it doesn't say anything," or "This says it beautifully. This is the way you should express it." It was a constant business. Yet, never once did he consider I was being taught legal research and writing. What he did say, and what was understood between us was, "You're out of law school now. It is the time to put something to work."

In my opinion, the only way a person can learn the art of legal writing is to do a lot of it. I did an immense amount for Judge Rothman. Let me add that I believe the only person qualified to teach the subject is someone who has done a great deal of it. However, even although I have had extensive experience, I don't feel I can teach legal writing effectively, and I don't think many people can.

DEAN WARREN: I will answer the question differently. As we grow older we gain respect for the simple, direct sentence. We no longer think in terms of the cliches that intrigued us as students and young attorneys. The reason the judge could teach Mr. Joseph something about exposition is that he had gone through numerous cases, and he had come to appreciate the use of words. He had come to appreciate a clear and concise style in the presentation of a brief, and he knew the value of this. The young man never knows it, and I am not positive many members of law faculties know it. By the way, let's stop talking about legal writing. I don't know what legal writing is—I just recognize writing.

I believe that, if young men entering law school possessed a good understanding of rhetoric and grammar, they would have the basic tools with which to go forward rapidly. No course in law school, whether you call it writing or that combination of words, legal writing, can make up for lack of early training.

CHAIRMAN PRICE: Mr. Powers of the Chicago Bar Association.

MR. WILLIAM J. POWERS: At the roots of this dilemma is the fallacy that all people are entitled to equal education. I have yet to read a paper, from a teachers' college especially, which stresses the fact that not all peo-

ple have an equal capacity or desire for learning. Perhaps we should emphasize the fact that if colleges and high schools do not maintain the standards, we will never have intellectual discipline. Somebody has to fail somewhere.

DEAN WARREN: How are we ever going to develop a successful education program in this country until we cease thinking of the interminable boy in high school. Unless we stop catering to him and raise standards, we will never have an education system that stands for anything.

DR. ELLIOTT: Many of the legislators who provide the funds to run our educational institutions are interminable boys.

PROFESSOR BLAUSTEIN: I think you are right. There is not a chance of doing anything in the undergraduate schools for a great many years. The courses get worse. The pupils don't want to read. They get no pleasure out of anything except discussing television programs and activities on that level. We must do the best we can with what we have.

CHAIRMAN PRICE: I wonder if Mr. Roalfe has any comments to make at this time?

DR. WILLIAM R. ROALFE: Mr. Chairman, I think my view differs somewhat from what has been said by the various speakers.

In the first place, I want to answer the position taken by Professor Joseph. I think there is such a thing as a good legal research and writing program. I agree that it is appropriate to use the word "legal," although I agree with Dean Warren that the difference is not so substantial.

We are training men to use legal subject matter and to document as required by our profession. The great spread and difference between Professor Blaustein's position and Professor Joseph's position is that they are talking about two entirely different courses which are presented in a different manner.

I have been concerned with the teaching of legal bibliography for nearly thirty years and with legal bibliography combined with legal research and writing for ten years. I am certainly not satisfied with what we are doing or with what anybody else is doing. There is a great deal of room for improvement. But I believe we have to accept the situation as it stands today, and make the best of it.

Now, one reason our general faculty members are not interested in this subject matter, so far as participation is concerned, is not only that they may feel it beneath them, but it involves hard work, and they are preoccupied with matters of interest to them. Who are you going to get to read the papers? Who is going to do the counselling? I am one of the older members of our faculty, and I am not willing to do it. I do not have time to do it.

The solution we have attempted at Northwestern is this much-criticized program of working with young associates. Obviously, they can't do as good a job as the judge mentioned, but we believe they accomplish something.

One bit of evidence to support this statement is the fact that the faculty adopted this program with great skepticism nearly a decade ago. Today, there is no thought of abandoning the

plan. Another piece of evidence is, that while our students frequently complain about the work involved, the opinions gleaned from graduates are very different. Just a few days ago two of our former students said it took them time to realize the value they gained from the course.

Let me add, because it fits into what has been said previously, I do not think it is wise to teach legal research and writing as ends in themselves. Our course of instruction is a three-year program of participation in this sort of work in connection with other aspects of the curriculum. Every student who is enrolled in our program receives a considerable amount of experience in researching and reflecting upon what he reads in law books. He is always trying to find an answer to a particular legal problem, and to reflect what he discovers in some written form.

DEAN WARREN: Before I became a professional mendicant, I found that one of the most effective ways to make students learn about their deficiencies and inspire them to improve, is to call attention to their work. One method is to have a student prepare a paper ahead of time, have the material mimeographed and distributed to the rest of his group—it might be a seminar group—who, after having read it, would criticize it from the standpoint of style, composition and everything else. I found that students sitting around a table, listening to criticism of their contemporaries, produced results. I was surprised at how many points were discussed. This is essentially the law review process, but it works well at the seminar level.

CHAIRMAN PRICE: This method has another merit. A good many students in a large school get lost. Dividing the student body into small groups, with counsel, is immensely useful in helping them find their needs.

Mr. Rothman, do you have a comment?

MR. FRED B. ROTHMAN: I was rather puzzled as I listened. It appears everybody agrees that all lawyers should know the tools of their trade and should be able to write. However, three-fourths of the panel believed that this is something which cannot be accomplished. Dean Warren felt the responsibility for learning to write lies with the schools and colleges. But here there is an inherent defect in our education.

We should all realize we don't go to school to be entertained. We are there to learn something, and there are many things which can be mastered only through drill and through discipline. I don't know of any other way of learning the multiplication table, for example. I don't say I agree with Professor Joseph that mere discipline and practice will teach legal writing, but I think the constant supervision and criticism by a qualified person will certainly help.

There is a tendency to throw up the hands at the thought of attempting to improve teaching at the college level. The law schools are in a position to do this, however. If Columbia were to advise undergraduate schools that their graduates would not be accepted as law students unless certain standards were achieved, results would follow.

I am a disciple of Dean Vanderbilt,

and I can remember hearing him say to his faculty: "I have three proposals to make. I know you will think all three of them are impossible. I believe one of them may be possible. I don't know which one, so we will have to find out what can be done." The three proposals he made? One was the construction of this building in which we are now meeting—so that wasn't impossible. The second was an Inter-American Law Institute, which is now flourishing, and the third was the *Annual Survey of American Law.*

This leads me to a comment on the ability of the average professor of law in connection with legal writing and research. I was on the editorial board of a publication in its early stages. We received some forty-seven articles from law professors who had been instructed as to style, form, length, etc. None of the material complied with the directions. I would hate to say how many errors were made in citations and other details that had to be checked before publication of even one article.

What I am trying to say is that we all agree lawyers need to know their tools. How can we teach their art to them? Not by discussion, but only by doing.

CHAIRMAN PRICE: We have time for one more question. Mr. Marke.

MR. JULIUS J. MARKE: The difficulty of teaching legal bibliography and legal research is well known to all of us. We assume this, we accept this. We do a good job sometimes; at other times we do poorly. What has not been recognized here today is the isolation of our subject. We have forgotten that legal bibliography and legal research are a part of the entire law school curriculum. They should be taught in every class of every law school.

Why aren't the tools taught in a particular course? We are attempting this at New York University, and we need the cooperation of every professor. Faculty members should be interested enough to tell their students when they are not expressing themselves properly in the classroom, in examinations, during oral recitation, etc.

CHAIRMAN PRICE: I wonder whether one of the deans would care to comment on this.

DR. ELLIOTT: I would like to comment on the matter of responsibility of the professor in connection with examination answers and papers. Again I will come back to the point that by the time a student has reached the law examination stage, he is beyond reach.

DEAN WARREN: I would like to answer Mr. Marke.

He made the statement that professors should go over examination papers. I disagree with him on that. Examination books are prepared under conditions that are not conducive to good writing. It would be an utter waste of time for a professor to try his remedies here. I think this type of criticism should be reserved for a prepared paper upon which the student has spent a reasonable amount of time —seminar papers, for instance.

MR. MARKE: I do not suggest that they go over the papers thoroughly. My thought was that certain glaring difficulties in expression be noted.

DEAN WARREN: An examination is done under extreme urgency. Profes-

sors give tests that are too long. The student doesn't have time to organize his material and think it through.

CHAIRMAN PRICE: I am grateful to the participants of this panel. Their preparation has shown a great deal of care and thought. It has been a most valuable exercise.

(Whereupon, at 4:05 o'clock, the session was adjourned.)

PROBLEMS OF PRIVATE LAW LIBRARIES —A ROUND TABLE DISCUSSION

The second section of the Tuesday Afternoon Session convened at 2:00 o'clock, Mrs. Beatrice S. McDermott, Librarian, Dewey, Ballentine, Busby, Palmer & Morgan, New York City, presiding. Participants were: Miss Grace H. Brown, Librarian, Breed, Abbott & Morgan, New York City; Mr. William D. Murphy, Librarian, Kirkland, Ellis, Hodson, Chaffetz & Masters, Chicago; Mrs. Freada A. Coleman, Librarian, Winthrop, Stimson, Putnam & Roberts, New York City; Mr. Jack S. Ellenberger, Librarian, Carter, Ledyard & Milburn, New York City; Mrs. Helene A. Weatherill, Librarian, Sullivan and Cromwell, New York City; Mr. Robert W. Lewis, Librarian, O'Melvany and Myers, Los Angeles; Mr. Frank R. Ruzicka, Librarian, Shearman, Sterling & Wright, New York City; David Brainin, Esq., New York City; Mrs. Libby F. Jessup, Librarian, Cadwalader, Wickersham & Taft, New York City; and Miss Elizabeth Finley, Librarian, Covington and Burling, Washington, D. C.

CHAIRMAN MCDERMOTT: Since our time is short, the people on the panel can only touch the highlights of their subjects, so we hope you will take advantage of the question and answer period which is to follow.

Most of the speakers will talk for ten minutes with the exception of three who plan to speak for half that time.

Our first panel member is Miss Grace H. Brown of Breed, Abbott & Morgan, of New York City, who will tell us about the *Circulation of Books.*

MISS BROWN: It is truly a pleasure to join with you in a discussion of our common problems. As some of you probably know, I have had to draw upon the experience of many of my colleagues in connection with this survey. I am grateful for their assistance, and I hope the discussion will throw some light upon the way different libraries handle circulation—particularly on the charging of library materials and the daily routine incident to exercising a reasonable control.

Circulation control in a law firm library may seem to be a rather simple operation, but I have learned during the past few weeks that it is an ever-present problem and one that must be dealt with by each in his own way. Primarily, a charging system must be designed to show what materials are out, who has them and how long they have been in circulation. You will agree such a system must be reasonably efficient in itself as well as in relation to the time that is required to handle the details.

There seems to be no general rule applicable to all libraries. The size and character of the organization which is served, the physical arrangement of the library, its location with

relation to the offices of the legal staff, the size of the collection, the number on the library staff, are all important factors. It is the experience of a particular library which must determine the best system to render most effective the collection of materials.

My survey has disclosed that there are five or six basic methods which are used by those librarians who submitted outlines of their procedures for the purposes of this study. These methods employ the use of:

1. Charge Slips
2. Book Cards
3. Desk Charge Books
4. Charts
5. Charge-Out Sheets
6. Individual Shelf-Charge Cards

Of course, the application of the methods vary widely in order to meet the conditions peculiar to each library. Because of the limited time, I will deal only briefly with them here. However, an outline has been prepared for your use which treats of each method in more detail.

The charge slip method is one which is favored by libraries large and small. Under this system, all materials taken from the library, including pamphlets, are charged out on individual slips by the attorneys themselves or by the library personnel. They are filed behind tabbed guide cards which are labelled or marked according to the particular needs of each library. Books, when returned, are discharged by pulling the charge slips.

The book card system is one with which we have all been familiar since we were first permitted to frequent the public library. The book card carries the exact title and gives details as to the volume number, section or part. It is inserted in a pocket at the front of a book.

The desk-charge book is a means whereby materials borrowed are listed in a charge book under appropriate classifications. We find in this method, several variations of application. For this purpose, looseleaf binders, notebooks, and also long pads either sectioned off and tabbed, or columned, are used effectively.

In combination with the desk-charge book, some librarians use other means to assure greater accuracy. For instance, one library has in each section or alcove, a specially made card frame attached to a stack. Into this is inserted a card upon which attorneys are requested to record the books borrowed. Another use is the card-in-frame idea, but the frame is inserted on the shelf at the point from which a book is removed.

Sometimes charts are used. Books borrowed from the library are indicated on a chart placed on the wall near the charge desk at the library entrance. These printed charts may be as large as a single page of a newspaper. Borrowers are required to indicate thereon, under the designated headings, books removed from the library. The chart is completely revised and a new one posted after each complete room-check which may be made every day, or perhaps two or three times a week. Returns are simply deleted from the chart.

The charge-out sheet differs from the chart in that materials charged are listed in no particular order.

Those volumes not crossed off the list in the course of the day, are transferred to cards. An alphabetical file of cards, similar to book cards, is maintained for every item in the library. Cards for items not returned are removed from that file, the borrower noted and the cards refiled in a separate circulation file.

Now, last but not least, of course, is my choice, the individual shelf-charge card. For each attorney there is on file in the library a supply of cards with his name printed at each end and on both sides. These cards are housed in a rack consisting of a series of pigeon holes. The attorney is expected to put a card in the place from which a book is removed. Cards are removed as books are reshelved.

Brief consideration should be given to pamphlets. In many instances these are charged in the same manner as are books, whether it be by card, slip or chart. On the other hand, some firms that generally do not use charge slips, do so for pamphlets and unbound periodicals, while others prefer that these be charged by inserting in the vertical file a large file charge card to replace the pamphlet.

There may be a few among us whose patrons are so cooperative and so well trained that offices need not be checked with regularity. The rest of us must rely upon a room check at regular intervals.

Often, the room check is made the first order of the day, but it may be done at any time best suited to the needs of the individual library, whether it be before the office day begins, that is, before the arrival of the legal staff; during the noon hour; or after hours. This inspection may be conducted in several ways. Some prefer to note the books on pads, while others compare them with the actual charts, charge files or room-check books, which are carried from room to room.

You may raise a question as to the time consumed by this operation. Circumstances vary so, things are done differently—one library is smaller than another, or the firm may have offices on several floors which makes "policing" more difficult, or a library may have more than one entrance, which makes control at the source a real problem. No doubt your hours are budgeted so you must of necessity spend only that time which you can afford, to achieve the most satisfactory result regarding this type of check.

It would be gratifying if attorneys would remember to charge books or to initial slips and cards and if they would not pass them from hand to hand, or lose them among stacks of papers. Then our systems of circulation control would work very well, I am sure. Until that day, most of us will have to live with the room-check or inventory, whichever you prefer to call it. I feel sure that it is an integral part of any plan, and its success or failure depends in no small measure upon the manner in which it is performed.

I'd like to say that I have copies of a more detailed outline for anyone who would like to have one. Thank you very much.

CHAIRMAN MCDERMOTT: Our next panelist is William D. Murphy, Librarian at Kirkland, Ellis, Hodson, Chaffetz & Masters of Chicago. He will

speak on *Standards Used in Storing and Discarding.*

MR. MURPHY: James Barrie is reported to have once said, "The printing press is either the greatest blessing or the greatest curse of modern times, one sometimes forgets which." Most librarians have been tempted often to conclude that it is the greatest curse. And so it behooves a librarian to examine critically each item of material before deciding whether it is something he should file away or something he might better drop into the wastebasket. In reaching a decision, it is important to keep in mind the very practical dollars and cents aspect of the matter. A study made a few years ago by the National Records Management Council and the Remington-Rand Company reveals that it costs $195 a year simply to maintain a standard four-drawer file.

However, before you decide to throw everything away and give up the whole idea of a vertical file, let's look at the other side of the coin. Much of the material is valuable and should be kept if your library is to meet the growing demand for up-to-date figures and facts. Most librarians have come to realize that their subject files or vertical files are an increasingly important part of their collections. Granted, then, that a vertical file is important, how best can it be set up?

There are certain basic steps which must be taken regardless of how large or small the volume of material to be handled. The first, and I think the most important move, is to set up a subject authority list or card file. This is simply a list of the subjects you select for your vertical file. Put in another way, it is a record of the terms which have been decided upon, and includes cross references from terms which you have rejected in favor of those used. This is necessary to insure uniformity. Development of your authority list is, no doubt, the most difficult task in setting up a vertical file.

A good subject heading should describe what it represents concisely and exactly, and the selection of each word or words requires study and care. For example, should you set up a file entitled "Probate Law and Practice," or "Executors and Administrators?" If you decide on "Executors and Administrators," you may feel a need for a cross reference from "Probate Law and Practice" to "Executors and Administrators." To help in selecting the best subject heading, most librarians lean heavily on the *Index to Legal Periodicals* and the West Publishing Company Key Number System. These systems are then modified to reflect the particular interests of the firm and its clients.

In addition, there are several good rules to follow in selecting the proper terms for subject headings:

1. Be specific. Use a specific term in preference to one which is general. For example, use "Income Taxes" or "Inheritance Taxes" rather than "Taxation," unless (and this is important) the subject is of limited interest, and the file will never become a large one.
2. Use an inverted term when an adjective proceeds a noun. For example, use "Insurance—Fire and Insurance—Casualty," rather than "Fire Insurance," etc.

3. Don't use two synonymous terms for material on one subject. This is important, because if the information on a subject is scattered in two or three places in a file, it becomes a hodgepodge and it is impossible to find material quickly.
4. Assign responsibility for selection of subject headings to one person. If this responsibility is divided, it is much more difficult to maintain uniformity.

Having selected a suitable subject heading for an entry, it should be typed on a gummed label and placed on the file folder. We use standard, center-cut folders. At the same time, we type the subject heading on a 3″ x 5″ card (this being our authority file), and one or more cross references are made. Some libraries prefer to type the subject heading on a label and paste it on the pamphlet. We simply write it in pencil, or ink, on the upper right hand corner of each item.

Up to this point, our discussion of the vertical file has been concerned with obtaining useful materials and getting them into the files in a systematic fashion. Now, let's switch gears and consider ways and means of getting them out of the file, either temporarily on loan or permanently confined to the junk heap.

The purpose of obtaining vertical file materials is, of course, to get them used as often and as thoroughly as possible before time and handling take the toll of their usefulness. Let us discuss briefly, then, the three most common techniques which have been developed for charging vertical file material.

1. *Charge Card in File:* A very popular technique involves putting a large charge card directly into the vertical file to show an item has been removed from it at that place. These cards come in various forms. One I have here (exhibiting card) is a card about 6″ x 9″ in size, lined from top to bottom. The card is reusable, and the name of the borrower and the title or description of the item borrowed is entered on the next clear line.

2. *Charge Slip:* Perhaps an even more familiar charging technique is the charge slip system. This system, which has many variations, involves the listing of each item borrowed, along with the name of the borrower and the date, on a card or slip of paper designed specifically for this purpose. The slip is then filed by date and serves as a record of the material loaned. When the material is returned, the slip is withdrawn and discarded.

The advantage of the system employing these little cards is that you have a record in one place of all the items out of the library at any given time. And the chronological filing allows regular checking on overdue material.

3. *Charge Tag:* Many librarians use what might be called a charge tag with either of the above mentioned systems. The tag takes many forms, but it always accompanies the item lent, and it may look something like this:

PLEASE DO NOT REMOVE THIS TAG
BORROWED BY_____DATE_____
RETURN TO LIBRARY—7TH FLOOR

It might take the form of a carbon

copy of the charge slip if a single slip is filled out for each item in circulation. The important thing is that it is preferably stapled, not clipped, to each item borrowed. It serves as some assurance that the item will find its way back to the library rather than to another department, or into somebody's personal file.

A number of techniques have been developed and put into use by librarians for handling the problem of overgrown vertical files. Here, as always, the success of each method depends upon the size of the vertical file, the amount of staff time available as well as the kinds of services rendered. In reviewing five of these techniques, I intend to move from what I consider the poorest for most of us to the best for most of us.

1. *Buy more files:* First, of course, you can always continue to buy new vertical file cabinets as the old ones get filled up. As a matter of fact, if your vertical file is a relatively new one, or your materials are largely archival in nature, this may be the best approach to the problem for a while.

2. *Weed as needed:* A second approach, which is mentioned here only in an attempt at completeness, and because it is the most popular of all weeding techniques, is to weed the file drawers when they get so full that your file clerk threatens to quit.

3. *Weed before refiling:* A third technique, and one that could have merit if used consistently, is to leave each folder removed from the file on top of the file until it has been weeded. However, you may discover that after a few busy days you have more material on top of the vertical file than in it.

4. *Weed on a regular basis:* The fourth technique is to weed on a regular basis—weekly, monthly or annually, or as necessary.

5. *Weeding while filing:* The fifth and last technique on our little list strikes me—and has struck others—as being the best technique developed thus far for most libraries. This technique involves weeding while filing. It relies heavily on time retention signals which are sometimes colored plastic clips secured to a folder. Of course, numerous types of signals can be applied. The system is set up by the person who selects the subject headings for material sent to the vertical file. But the actual weeding can be done by a file clerk.

In discussing this system, keep it in mind as something of an analogy to the system used by many of the loose-leaf services which add pages or sections to the files and at the same time discard pages or sections which have become obsolete and useless.

Example 1: Time retention systems in vertical files work much the same way. When you set up a vertical file folder for a publication which comes on a regular basis, you can decide then and there how long you need to keep it. A common example would be the United States Department of Labor *Monthly Consumer Price Index Reports.* Your heading on the folder for the items might be:

U. S. DEPT. OF LABOR—CONSUMER PRICE INDEX—1 YEAR

As the filer adds the latest report at the back of the file, he automatically

withdraws the oldest report at the front of the folder. The file never grows after the first year and you know that the information in the *Monthly Reports* is largely cumulated in other sources like the *Statistical Abstract* or the *Monthly Labor Review*. This is the simplest form of a time retention signal, but consider how many of your vertical file folders could stay thin with a signal like this.

Example 2: In addition to using time retention signals on file folders, they may also be used on individual items. For example, *Official List of Counties and Incorporated Municipalities of Illinois* is a pamphlet published every two years by the Secretary of State of Illinois. We have learned for our purposes that we should keep the latest two editions of this item, so we subject-head it in this fashion:

COUNTIES—ILLINOIS—2 YEARS

When our filer adds the 1959 edition, he will discard the 1955 edition.

Example 3: Now, it is very true that not every item you send to your vertical file is the type that is received on a regular weekly-monthly-yearly basis. Many are single publications. And it is quite a problem to look into the future and guess when a piece of material of this sort is going to lose its value. But you may surprise yourself at how expert you become at this guessing game after you've played it for a while. And remember that you can always fall back on the question mark. For example, the pamphlet entitled *The Chicago Bar Association—Schedule of Suggested Minimum Fees* will gradually become outdated in these days of rising costs. We decided to subject head it and time retention signal it:

FEES, LEGAL—6 YEARS

I have mentioned just three ways of using time retention signals. When you start thinking about them in relation to materials in your own vertical file you are bound to see other ways of putting them to use. Should you ever come to my library and pull open one of our vertical file drawers, remember that my last recommendation was: Do as I say, not as I do.

CHAIRMAN MCDERMOTT: Our next panelist is Freada Coleman. Freada is with Winthrop, Stimson, Putnam & Roberts, New York City, and she will speak on *Standards Used in Storing and Discarding Bound Volumes.*

MISS COLEMAN: In weeding out a law firm library, it should be kept in mind that such a library is essentially a working unit rather than a historical library. Material which would be retained by an institutional library should often be discarded by the firm librarian in the interests of keeping the collection in current, usable order.

There is certain material which should be discarded without further thought, without making any major decision. Such material would be old volumes of digests which have been revised, such as *Federal Digest,* the *Atlantic Digest* or *Abbott's Digest* in New York State. Only very rarely will you get a citation to such publications. They are primarily search material, and there is no point in keeping them. This is also true of old volumes of *Words and Phrases, American Jurisprudence* and *Corpus Juris Secundum,* sets which are being revised regularly.

Other items that may be discarded, I have learned recently, are the annual supplements to *Corpus Juris*. I have also discovered that since *Corpus Juris Secundum* is being completed, *Corpus Juris* itself may be discarded.

I think there are three criteria you can use for discarding. The first and most important is the availability from nearby institutions of the material to be weeded. The second factor is to consider the particular needs of your firm. You may have some material which is outdated and would be discarded by most libraries, but you might have to keep it because your firm practices in that field. The third consideration is the urgency of the need for space. If you get cramped for room you will have to get rid of material even if you need it and get calls for it.

Material to be ousted under the first category (when it can be obtained from nearby libraries) would be old editions of treatises such as *Fletcher on Corporations* and *Mertens Income Tax Law*. Some librarians might disagree with this, but I think once the new set is complete the old set can be discarded. This area would also include old editions of state statutes. Here again, some librarians keep them because they are valuable for research, but if your space requirements are pressing, and you can obtain them locally, they can be disposed of. Of course, I wouldn't advise this in the case of statutes of your home state.

As for old textbooks which have not been revised, but which are so ancient that they are of very little value, the thing to do would be to check with a lawbook dealer to see whether the volumes have any monetary value. Sometimes old law books that are out-of-print are worth cash. If no financial sum can be determined I would suggest discarding them. They are not serving any particular purpose, they are just using up space.

When your space needs are serious and you are getting desperate, such publications as *Ruling Case Law* can be scrapped. Some law firms discard their law reviews prior to 1930. If it is absolutely necessary, the set of *Federal Cases* can be eliminated. Of course, these volumes should be retained, but if space is at a premium, out they will have to go.

Once you have decided what books to discard, it is advisable to make a list of the material and distribute it to the local law libraries, explaining that you are planning to dispose of these volumes and are willing to donate them to any interested party. It is amazing how many librarians will make selections from your material for replacement purposes. When you circulate your list, be sure to make it clear that delivery plans and charges will be the responsibility of the receiver.

That is about all I have to say except that further information on this subject can be found in the Questions and Answers section of the August, 1958 *Law Library Journal*.

CHAIRMAN MCDERMOTT: Our next panelist, Jack S. Ellenberger, Librarian at Carter, Ledyard & Milburn, New York City, will speak on *Legislative Coverage*.

MR. ELLENBERGER: The extent and purpose of compiling federal legislative histories for the firm or private

law library depends primarily upon the type and range of law practice which expects to use these histories. A large tax department, within a firm, will naturally require as much historical material as possible in order to determine the legislative intent of a particular section of the Internal Revenue Code in relation to its interpretation by the Tax Court or federal courts of appeals, the eventual effect of a ruling on the tax-paying client and the possible amendment of the Code which may arise from this ruling.

Even a casual survey of current case law, especially in the area of federal taxation, will indicate the importance which the courts place on legislative histories as an interpretive device in establishing precedent as new law. Needless to say, therefore, the practicing lawyer is acutely conscious of the need and importance of maintaining a well organized set of federal legislative histories in his library, particularly when the rights of a client are involved vis-à-vis federal authority.

There seems little need to dwell upon the many sources of federal legislative materials which are available to the law librarian, whether he works for a firm or institutional library. There is, however, a singular element of timeliness and specialization which the private law librarian will encounter, and it should be kept in mind that all legislative history must be filed and maintained so it will constantly serve the purpose of a ready reference tool for the attorney whose research time is money in his bank and, incidentally, in yours, too. Considering the element of time and staff limitations, it is important to have a standing order arrangement for all federal legislative materials likely to be useful to your organization.

Familiar to all of you, and of special importance for the work it will save the private law librarian (in spite of its occasional limitations), is the Commerce Clearing House *Congressional Legislative Reporting Service*. On the basis of an annual subscription fee, ranging over a variety of prices, this service will furnish all federal legislative materials essential to compiling a history in any pre-determined legislative subject area. It will forward to you, within a matter of a few days, all bills, resolutions, amendments, reports, public laws and summaries of action on every bill on which you may choose to compile a history. However, the subscription does not include committee hearings or Senate and House Documents. These materials must be ordered from the individual committees considering pending legislation or from the United States Government Printing Office which will send on request and payment, all hearings and documents which are available on a given piece of legislation.

Helpful in keeping track of these extraneous yet vital documents, and to be used in conjunction with the *Reporting Service*, is the Commerce Clearing House *Congressional Index* which acts as a legislative calendar listing all bills numerically, according to the House which introduced them, giving bill headings, separate "status tables" on pending legislation, subject indexes, voting records and a legislative history section of approved bills.

In a number of ways superior to this *Index*, because of its timeliness

and official character, is the *House Calendar,* which may be received daily from the House Document Room and which lists all bills of the House and Senate reported out of committee. A Monday issue cumulates the week's congressional business and is probably the only daily issue which the firm librarian will want to have at hand. Unfortunately, the *Calendar* may be ordered only on request from the House Document Room—no regular mailing list being maintained by this agency. Detailed proceedings on a bill may be obtained by writing the individual committees, as referenced from the *House Calendar* or the *Congressional Index,* who issue, somewhat irregularly, calendars of their own.

Of vast helpfulness, especially in the area of finding the elusive hearing or document for a piece of legislation in which your firm may be interested, is the *Monthly Catalog of United States Government Publications.* As most of you know, this publication may be ordered from the Government Printing Office on an annual subscription. By checking it regularly and ordering materials according to the stipulated code system, there will be little chance of missing an important legislative document in compiling a history even for those of you who may prefer to "go-it-alone" without the aid of a regular commercial reporting service.

There seems little reason to mention the importance of the *Congressional Record* in an assembly of this type, but the *Record* is most certainly a primary source of legislative intent within our modified federal parliamentary system. Its remarks in debate will be especially useful for inclusion within a history either in "clipped" form or by cross-reference margin, or foot-notes from the legislative summary to the bound or unbound volumes of the *Record.* It is good to remember that the "extension of remarks" in debate, ordinarily referred to as the Appendix, is not included in the bound volumes of the *Record* for reasons which were probably politically expedient in 1953. The Appendix is indexed, however, in the annual index to this important congressional publication of recorded debate.

A shortage of space in most private law libraries will dictate compact methods of filing legislative materials prior to binding. The obvious and practical solution to this problem is arrangement by numbered folder, according to bill number, in an ordinary steel filing cabinet. Depending on the volume of material which you want to keep, this arrangement may be conveniently subdivided by introductory House in groups of 100's or 1,000's. Upon enactment, all of the material should be removed from the file and organized with a legislative summary prior to binding. From personal experience, I can say that this is also an excellent time to check for hearings and documents which you may care to bind as an auxiliary research tool for the enactment at hand.

A prime corollary devise useful in conjunction with this filing system is the 3″ x 5″ progress card-file, arranged numerically by introductory number, indicating on each card the date of introduction, sponsor, committee referral and proceedings, available hearings, committee prints or documents,

debate encountered and date of approval or veto by the President. This file is primarily a source of quick-reference control; one will not need to refer to, or relinquish the materials which have been collected. In lieu of this file, the commercial reporting services or legislative summaries may be used if you care to risk a pertinence in giving an on-the-spot answer to a question.

There is all manner and form of binding anything from periodicals to legislative histories, and I will not attempt to enter this thorny field. However, every history should be bound with the loving care which you can be sure it will not receive over possibly generations of use. Preceded, preferably, by heavy duty, numbered and tabbed divider-sheets which are followed by a chronologically organized legislative summary, your histories may be arranged numerically by public law number within a volume. This device has seemed best to me since the public law number is easily referenced from the *Statutes at Large* or from the *United States Code*. Ordinarily, internal arrangement of an enactment within a volume of history is from that of introductory bill to law. Within a given subject area of histories, whether it be tax, labor or civil rights, each volume should be separately indexed by law number to indicate those enactments within the series which are to be found in the library. With something as formidable as an Internal Revenue Code revision, it is advisable to bind the bill, reports and law in a number of separate volumes, if necessary, and to include all pertinent hearings and miscellaneous enactments for the same session within another volume or volumes, appropriately marked on the spine by series number. The reasons for this are an obvious accommodation of use.

At this point, considering that both you and your binder have been alert to points which I may have overlooked, it is entirely possible that one golden morn you will be confronted by a glittering array of completed federal legislative histories. Assuming this to be so, and that you have been patient in seeing another session of Congress complete its work under your hands, I can assure you that the rewards in the way of research time saved will be immeasurable to you, your library, your working colleagues and to the changing common law system forever afterwards.

CHAIRMAN MCDERMOTT: Our next panelist, Helene A. Weatherill, Librarian, Sullivan and Cromwell, New York City, will speak on *Legislative Coverage—State Legislative Coverage.*

MRS. WEATHERILL: I am confining my remarks on legislative coverage to New York State. I wish we were as lucky as those concerned with national affairs in having all of our hearings and reports on legislation available.

When I started to work on this outline I obtained a list of ten different sources in which one could look for background materials pertaining to a particular law in New York State. I don't know that I'll have time to discuss all ten of them, but at least I will start.

The first place to search is in the New York State Law Revision Commission Reports. This Commission was created by Chapter 597 of the

Laws of 1934. It was charged with the duties of drafting and recommending new laws. After the statutes were prepared, they were to be accompanied by brief so-called recommendations and followed by a study which often has proved to be quite lengthy. This material eventually appears as a legislative document.

The second source concerns the Judicial Council of the State of New York, created by Chapter 128 of the Laws of 1934, with the duties of proposing new laws, particularly in the field of organization and administration of the courts, and problems of practice and procedure. This body also submitted recommendations with each proposed law and, sometimes, studies. These also appeared as legislative documents.

The third agency is the Judicial Conference which was created by Chapter 869 of the Law of 1955. This statute abolished the Judicial Council. The duties of the Judicial Conference are similar to those of the earlier Council, but the powers granted are far greater. The Conference usually submits a memorandum with any proposed law, and eventually yearly bound volumes are issued.

Generally, joint legislative committees and temporary state commissions prepare formal reports which are usually published as legislative documents. These provide a source of background material of legislative intent. The *New York State Department Reports,* containing such material as the Annual Report of the Banking Department, etc., supply information in connection with legislation as well as reports made and advocated by the various agencies contributing to the set.

One might also look in the Governor's messages, especially the annual messages given when the Legislature convenes. Here may be set forth a Governor's program with discussion of new laws recommended to be passed. These messages are to be found in the Governor's official papers eventually, but more speedily in McKinney's annual *Sessions Laws* and the *New York State Legislative Annual.*

A seventh source might be material in bar association memoranda, particularly in publications of the Association of the Bar of the City of New York. Their Committee on State Legislation is very active and usually issues seven or eight bulletins during a given year. This is an excellent current source of information. Both the New York State Bar Association and the New York County Lawyers Association publish bulletins that are often helpful.

Two sources mentioned above must be formally counted in the list—the *New York State Legislative Annual* which first appeared in 1946 and McKinney's annual *Session Laws* volume which has been published since 1951.

The last stronghold available is the so-called Governor's Bill Jacket. I have one here (exhibiting). Sometimes there is nothing of interest to be found in this publication. You cannot tell until you check it.

Information on most of the above publications may be found in *Source Material Related to Legislation in the State Library,* a publication released by the Legislative Reference Room of the State Library.

CHAIRMAN MCDERMOTT: Our next panelist is Robert W. Lewis, Librarian at O'Melveny and Myers, Los Angeles, who will speak to us on *The Library Manual.*

MR. LEWIS: It is a difficult thing to know what to do when you have been asked to speak on a subject of importance, and you are limited to ten minutes. I hope what I have to say will be constructive and helpful.

I don't think it would accomplish much for me to go through the contents of a library manual. Rather, I will approach the problem of a firm law library manual from the beginning and from a variety of angles to gain background to ascertain whether such a publication is desirable.

In deciding whether such a manual is necessary, we have to consider how much value would be derived from its existence. If we find it to be a worthwhile project, we need to discover how to go about developing results. This involves the perusal of such information as the mechanics of compiling, the pooling of interests and methods of getting the material into available form.

I have prepared, in multilith form, an outline which lists the steps one might take in approaching this problem. Any firm librarian who is interested in it may ask me for a copy.

I started out by composing a letter which was sent to thirty-three firm librarians. It asked them three questions. The first query inquired whether their firm used a library manual. Secondly, the letter wanted to know if they believed such a manual was worthwhile, and, thirdly, it inquired whether they felt it would be helpful for our Association to assume some sort of responsibility for the drafting of a model manual.

Of the thirty-three librarians contacted, fifteen replied. None of these had a complete manual available. Four could supply a manual of some sort, but in two cases the document in question turned out to be merely a set of office rules for new associates to acquaint them with the general use of the library.

Of the fifteen who answered the questionnaire, five were not in favor of preparing a manual. The main reason for this lack of interest was that they felt every firm library was unique. In other words, it would be impractical to attempt to draft a manual for general use.

I feel that manuals are exceedingly valuable. They record in black and white the procedures of a specific library. This is a help to new staff members and new office personnel in becoming acquainted with their surroundings. Also, it is invaluable to a successor to the librarian. Another important factor is that it is an investment in our profession. The slowness with which attorneys are grasping the value of librarians and what they can do for them, is appalling. If we are to expand, we must sow the seeds of our importance among the Bar. Therefore, I believe that if we adopted a model library manual, which would demonstrate to anyone reading it the seriousness and extent of our services, we would advance toward the goal of greater recognition.

At this point I want to sound a note of caution. We don't want to develop a staff manual which will give

practicing attorneys an impression they can employ untrained personnel and expect them to do a professional job with the guidance of our handbook. As sort of an adjunct to the staff manual, we might prepare information for the use of attorneys and unskilled assistants. This might outline a general description of the library and other details which would familiarize novices with what the library has to offer.

I believe these things are worthwhile. Generally, we attend annual conventions, listen to what is being said, applaud, and then go home and promptly forget the whole business. I hope things will be different concerning the ideas I have put forth regarding library manuals. If we could group together during the year and pool our resources to see what can be accomplished in this field, I am sure it would be to the benefit of the library profession and to the Association.

CHAIRMAN MCDERMOTT: Our next speaker is Frank R. Ruzicka of Sherman, Sterling & Wright, New York City, who will tell us something about *Memoranda of Law*.

MR. RUZICKA: Extensive legal research is both tedious and time consuming. Much of it serves but little purpose beyond the original application. How useful, if we could record it all for posterity. To an extent we can. The Memoranda of Law File in the law firm is a veritable record of the authorities consulted, pertinent citations and conclusions arrived at in researching a problem with a given set of facts. Memoranda of law do not die at birth, but like rare wine may be sipped and savored at a future date. The value derived from a file of this material is at least threefold and might be categorized as: "Background," "Groundwork" and "Authority." An attorney faced with a problem in a "new" field, will find in Memoranda of Law File a treasury of background information. It can spotlight the many facets of the problem at hand.

In respect to continuing matters, the File is a permanent record of the ground covered and the decisions made as of a particular date. It is a mirror reflecting those aspects which were thoroughly treated and those which received only sketchy research. It can be a guidepost to avenues yet to be traveled.

Where the law has encountered little or no change during the course of years, a well-researched memorandum can be used as authority within the office and save a great deal of duplication of work and expense of time. In some areas it can even serve as a supplement to existing texts.

This is the theoretical approach to the Memoranda of Law File, but what of the practical side? Is it really worth the time and effort necessary to set up such a File and to keep it current? There are many factors determining the need for this material and the advisability of satisfying the need. The size of a firm would definitely be a consideration. Size will decide the number of memoranda available for the File; a small collection would hardly warrant the work and time expended in keeping it current.

Assuming that we do have a collection of memoranda which justifies setting up a Memoranda of Law File, we must consider how to best make this

material available. Availability is largely dependent upon the method we use to house our material and the extent to which we intend to index and catalog.

Here in the New York area, several different methods for housing the memoranda are utilized. Some firms keep their holdings in expansion-type folders and conventional file drawers, some prefer one of the temporary binder arrangements, while others permanently bind their collections. I may be prejudiced, but I can only recommend permanent binding. Possibly a cut in my library budget would overcome this tendency.

Now, to attack the two perennial library bug-a-boos: indexing and cataloging. While separate functions, they always walk hand-in-hand, much to our consternation. For the purposes of this discussion, I shall treat them as one under the label "Preparation."

Preparation requires time and personnel. Since the time factor is more or less dependent upon the size of your collection, you will have to calculate this item for yourself, but do not fail to consider it. Personnel is indeed a problem.

Preparation requires both professional and non-professional help. The clerical aid necessary in preparing multiple catalog cards can in itself be a detriment. However, there is a small duplicating device for producing these cards on the market which may be of some aid.

There is no panacea for the problem of preparation, but if the hierarchy of your firm can be convinced that a Memoranda of Law File will be an asset, and will give their enthusiastic cooperation to the venture, I propose the following program for your consideration.

Supply your attorneys with a copy of the Master Index of subject headings, subheadings and cross references used in indexing the memoranda in your library. They can then suggest several uniform main headings and subheadings to be used in preparing their memoranda. Ask each attorney to give you a concise statement of the subject matter covered by each of his memorandums. When a statement is complete, it can be transferred to the catalog card and save hours of cataloging time. It would be appropriate to supply every lawyer with a form facing sheet, preferably on tinted paper, with provision for the subject statement and suggested index headings. This sheet can then be used as a work sheet in preparing catalog cards.

Index your memoranda comprehensively and include a catalog card for the author and the case or matter involved. Author and case cards will save a great deal of time when searching for a particular memorandum that is known to exist.

The degree to which you use subheadings will, again, be determined by the size of your collection. However, even in a small collection subheadings will be necessary in some areas. I recommend that your Master Index be quite comprehensive. A complete index of this sort will, through main headings, satisfy the needs of a small collection and allow, through subdivision, for future growth and expansion.

If you have a Memoranda of Law File that has fallen into disrepute, try

to rejuvenate it. Possibly some of the aforementioned suggestions might be applied. I sincerely urge you to "doctor it up" in some fashion, for a neglected file casts a bad light on the librarian.

If you do not have a Memoranda of Law File, and are considering installing one, give the matter a great deal of thought before you make your decision. The file requires time and work on the part of the library staff and cooperation from the rest of the firm. Look before you leap, but if you leap, keep hopping!

CHAIRMAN MCDERMOTT: Our next speaker is Mr. David Brainin, formerly with Craveth, Swaine & Moore, where he handled the corporate form files for three years. I think Mr. Brainin has done more in his particular field than anyone else in New York City. We will now hear about *Corporate Form Files.*

MR. BRAININ: Thank you, Mrs. McDermott.

First, what is a form file? It is a system of files organized by subject matter which deals with such things as corporate matters, certificates of incorporation, bylaws, etc. It is something you preserve of your own materials and does not include information published by others except for occasional bits of information from outside firms.

What kind of forms do we need to keep? The requirements are peculiar to each law office. You can't generalize. I can only speak from my own experience. At the Craveth offices the form files are mainly in the area of corporate matters, financing and things of that sort. Litigation forms are fairly well covered without setting up special files for them. But another firm may have a wholly different orientation.

In considering whether you want to maintain a form file, don't overlook the fact that there are many good form books. Even if you maintain a file you will frequently use volumes such as Rabkin and Johnson's *Current Legal Forms of Tax Analysis* and *Nichol's Forms.* Nine or ten such volumes are very useful no matter how large your file grows.

I would suggest, also, that if your firm is organized into departments, and most of them consist of only three, four or five persons, leave the forms for those sections with the men involved. Don't go near them. A real estate group of three men can preserve their own forms. They know what has been done. They ask one another. Estates and trusts can do likewise.

It might be suggested to these departments that over a long run they would see many advantages in recording the pertinent information in connection with the forms they prepare. This would prevent the necessity of consulting one another constantly to see what has been done. However, this is really their problem and not one for your central organization.

Your main responsibility is going to be obtaining the forms and getting them into the files. First of all, to make the forms available, attorneys have to be educated to the idea of turning over copies of their drafted work to your files. You have to obtain the material from them, and you have to persuade them to tell you what it is all about. The first chore may be easy,

but if you add the second task to the first job, you may not get any forms at all. This is a problem to be discussed with the partners in your firm, or with the attorney in charge of the library or with somebody who is in a position to consider the extent of cooperation that can be obtained from the attorneys concerned.

Another important service is your File Department. At the Craveth firm, except for the last two years or so, the form files were in the File Department, and this worked out fairly well. If you have someone in the File Department who is alert to picking out what is useful and has had the kind of training desired, he can help you.

Once you obtain them, what are you going to do with them? The initial step is to get a covering memo very much in the nature of the memo prescribed for an office memorandum. Your memorandum might be headed in the nature of the document treated, using such subjects as "Loan Agreement" or "Certificate of Incorporation, Delaware," etc. The name of the attorney drafting it, and the name of the partner under whose supervision the work is being done, should appear under the title.

This last is not only of interest to an attorney referring to the file in terms of judgment as to how well a specific project was done, it also displays the experience and results many fine attorneys have had in drafting good forms. In addition, it may point out the preferences of senior partners and demonstrate how they wish their associates to perform. If you can indicate all of this to the attorneys, you are liable to save them a lot of time.

Next you should prepare a brief statement of the transaction in connection with the particular form being filed. For example, if it's a loan agreement, you should state that it refers to borrowing from a bank in such and such a state, for such and such a purpose, by such and such a borrower. You should note too the other forms which have been developed in connection with the transaction—promissory notes, guarantee agreements, etc. You should allow space for special features and comments as well. It might also be wise to indicate the office file number under which these matters can be found; that is, the general file system number, so that an attorney can begin with one of the documents in a case, can next search your files and then refer to the general file and pull out the whole package of material on his problem.

Finally, lift from the covering memo index cards such specific topics as a particular type of clause (an arbitration clause might be an example), to keep your specimens of clauses as complete as possible.

I won't say much about weeding, though it was one of the largest jobs I had at the Cravath firm in connection with their files, because the topic has already been covered by Mr. Murphy. I would like to add just one note regarding form files. Someone, an experienced attorney, should be consulted from time to time as to the state of your form files because, in the field of documents, especially, the law may have changed and whole, large sections of your material may have become unreliable. This is particularly true regarding official documents

where errors might be devastating politically.

Finally, in connection with the problem of personnel, there are two possibilities for the choice of a file custodian. One is to select a librarian or the head file clerk, somebody who through long association with the firm has developed a certain amount of legal training and has worked in close association with attorneys, to assume the responsibility of handling the task. Another possibility is to use a clerk or an assistant or, if possible, a law student who has completed at least one year of law school.

This concludes my remarks, except for one last statement. Every attorney I have met uses forms. A lawyer couldn't practice for twenty minutes without them unless he is practicing forensically in court all of the time. Wherever you have a group of five or more lawyers doing the same type of work, the documents they draft can be forms of one kind or another and their preservation can save a tremendous amount of time.

CHAIRMAN MCDERMOTT: Our next panelist, Mrs. Libby F. Jessup of Cadwalader, Wickersham & Taft, New York City, will speak on *Personnel Problems.*

MRS. JESSUP: The field of personnel problems covers a lot of ground. For my own purposes I have narrowed it down to the selection of personnel, since my time is limited.

It has been said that libraries are not made—they grow. I suppose the same thing might be said of librarians. This means that, in selecting library staffs, you are assessing potentials, measured, it is true, to some extent by past achievements of the person interviewed.

You will note that implicit in my statement is the fact that what we are seeking to consider here is the selection of assistants. The selection of the librarian in the law firm is outside the scope of this paper. It is usually done by a partner, or committee of partners, or associates. The best we can do in connection with this is to make available to the employer a set of standards for their consideration.

Our concern is basically that of selecting a competent staff for ourselves. We will not discuss the mechanics with which there must be compliance in each office. For example, in some offices, I understand, the managing clerk has some jurisdiction or control over the library employees. In other offices, any proposed employee must be cleared with either a partner or another designated person or persons. These individual differences cannot be discussed here.

Perhaps the first question to be answered is: What help do you need? This will call for a two-fold answer: 1. What services does your library render? and 2. What duties are to be performed by the staff—or, in other words, a job analysis?

A job analysis is not easy to make. I know, since I have recently undertaken this task. A library employee must have a love of abstract knowledge and an ability to translate it quickly into the specifics of everyday questions. He must have a strong tolerance for the discipline of hackwork —and there is a lot of it in any stratum of library work. He must be able to sublimate his professional pride

and perform non-professional chores as the need arises.

The situation is further complicated by the fact that most law firm libraries do not have very large staffs. The cataloger must be able to handle acquisitions or billing or reference work as the exigencies demand. This fact tends to make the selection of law firm personnel more difficult than in larger libraries because the aptitudes for one job may vary considerably from those called for in another, and those aptitudes must be found in a smaller number of persons. On the other hand, we do start with a certain basic training, a certain modicum of intelligence and, perhaps most important, the ability of the human being to adjust to his environment.

For a good analysis on this subject, I refer you to the report of Earl Borgeson, entitled, "The Selection and Handling of Personnel in the Law Library," 50 *Law Library Journal* 499. While Mr. Borgeson's report is not restricted to law firm librarians, the problems are basically the same, with some intensifications as the personnel is reduced and the scope of duties enlarged.

Having decided that what we need in law firm libraries are adaptable, talented, learned persons, ready to dust the shelves, file looseleaf services, or to outline a brief in rapid order, we must next consider the sources for such personnel. Roughly, we divide our assistants into professional and non-professional categories, and I am afraid that is as much specialization as most law firm libraries can handle. The type of associate for whom you are searching will control to some extent the methods of your search or the sources you will contact.

In seeking professional help, the first and foremost of sources is our own excellent placement service. Second, are the professional schools, library and law, and in this connection, I would not overlook the law student who may not be aware of the potentials of the law library field. For non-professional help, again try our own placement service first as well as the colleges, your own personnel and your friends. I have found our firm messengers to be a good source of library assistants. Of course, this will depend a great deal on the type of messengers your office employs. We are fortunate in having mostly young college students working their way through school. They are a serious group, with the intelligence to do routine reference work and enough brawn to lift the heaviest Moody from the top shelf of some dark storage room.

You might want to consider, in the selection of library personnel, the hiring of older persons and possibly temporary employees. While it is highly desirable to have permanent staff members, it has been my experience that temporary competent help works out very well, if it is the right kind. When I say temporary, I mean several years temporary. I am not talking about stopgap employment sought by a person who is constantly changing jobs and has loyalty to none. In general, the college student will fit into this category. So will the library student on his way up who stops in your organization for a while to gain as much experience and knowledge as possible. All of us recognize the proba-

bility that our staffs are constantly subject to change and are constantly advancing as a result of the experience we are helping them to gain. So the job of filling the vacancies is constantly with us.

Factors to look for in new personnel include the following:

1. Education
2. Experience
3. Age
4. Physical condition
5. Personality
6. Reliability, perseverence

Some of these considerations necessarily overlap. An older person is apt to be more constant and disciplined in his attitude towards his job. A younger one, brought up in this world of inflation, which does not seem to have hit the library salaries, will seek out more money—and finds it in most instances.

On this score, my feeling is that a great job of employer education remains to be done. I am convinced a young profession such as ours naturally must go through growing pains of getting material recognition as well as employer plaudits—or credit for holding the key to human knowledge. Money is not the problem with most law offices that it is with universities or other charitable organizations. But, direction of more funds to the library is a problem we have to face. Library disbursements, in most offices, are considered a little bit like the electric bill, a necessary overhead expense to be kept down, rather than a human factor properly to be evaluated and compensated. Our services, in most instances, are not visibly productive or chargeable against a specific client.

CHAIRMAN MCDERMOTT: Our last panel member is Miss Elizabeth Finley of Covington and Burling, Washington, D. C., who will speak on *Office Relations.*

MISS FINLEY: Our Chairman outlined my section of this panel as "Office Relations," or, What is the most effective means of publicizing the importance of a law librarian's work? and, Is the relationship between the law librarian and the firm's library committee a satisfactory one?

I must take the last first because I cannot wait to register a resounding "no" to the library committee. The relationship is not only not satisfactory, it is an actual impediment to the efficient operation of a library. I predicate this very positive statement on the assumption that we are all doing a professional job, not merely a clerical or housekeeping job.

This, I think, is the basis of all librarian-firm relationships: The librarian must act and be professional; the firm must recognize the librarian's professional status. The firm's recognition is a reflection of the librarian's own attitude. The librarian must get it across that he knows more about operating a law library than any lawyer or group of lawyers in the firm—from book selection down to book dusting. He should give himself a demerit every time a lawyer makes a worthwhile suggestion for improvement of library service that he has not already considered.

The idea that a library committee is a judge of what books to buy is ridiculous. Obviously, the librarian is the one person who is in a position to

know what is most in demand. For evaluation purposes, it is well to refer a new title in antitrust, for instance, to an antitrust lawyer. But that is asking for an expert opinion, and is quite different from saying, "Please, sir, may I buy this?"

This same idea of independence applies to lesser administrative matters such as the necessary rules for use of the library, the regulations regarding the charge system you set up, etc. Be firm about their observance, and you will soon find the lawyers will respect you as the authority on how to run a library. When they realize that you are an expert in your field you will be accorded the respect due a professional member of the staff, and, an important point, you are more likely to be paid accordingly. This, I think, is the basic point to establish. Library bulletins are fine. An annual report that is circulated to all attorneys is excellent. Notes on legislative developments and new court decisions are dandy, but they all just contribute to the fundamental essential idea that the librarian in his field is a professional as is the lawyer in his.

I would like to give an example: A few summers ago our office hired a batch of undergraduate law students for temporary work. After one young fellow had spent the summer with us, he went back to his law school and joined the law review staff. He believed we should subscribe to his law review. However, instead of writing to me about it he wrote to one of the firm's partners. The partner didn't consult me, but he wrote to this young fellow and presented me with a carbon copy of his correspondence. I would like to read a pertinent section of this document.

> I am passing your letter on to critical Finley. I would never dream of trenching upon her discretion. Let's see if you can convince her. As for me, of course, I would subscribe to your law review without a moment's hesitation. You put out a fine sheet. But Finley is a crusty, tough, cold-blooded and tight-fisted gal; more experienced salesmen than you have quailed at the very sight of her. Don't hesitate to bring up your heaviest artillery wherewith to bombard her, don't hesitate to enlist Clubb in Fifth Column work, don't hesitate to fill your sheet with the most enticing and seductive items—but don't assume that you will succeed in storming a redoubt stronger than Fort Damnation itself. The Deanness of Law Librarians, the rock upon which our firms rests so securely, is no amateur warrior.

I said nothing to my colleague, but I wrote to the young man on the law review and sent a copy of my reply to the partner. I answered, rather nastily, "Of course we would be glad to subscribe to your law review. It would be fine." But, I also pointed out, "You are not one of the Shepards, and incidentally, since you are familiar with the library, where do you think we will put a copy of your review?"

Back came a reply from the partner, "Finley, I love you!" This is evidence of what I mean, you are trusted if you are sound.

I have brought along a few copies of annual reports and our current bulletin in case you should care to examine them.

CHAIRMAN MCDERMOTT: We have about twenty minutes, and I hope you will take advantage of the question and answer period.

MR. FRANK G. KOCH: It seems to me

that the question of a library committee was effectively denounced. I think there is a place for such a group at certain times, when it is properly controlled. What I have in mind is a committee which can be approached with a good idea. It could also serve as a buffer when someone insists upon the purchase of a certain book. You can always say: "We have to take it up with the library committee." This maneuver can be used to prevent hard feelings as well.

MISS FINLEY: You have a point. It depends upon how much standing you have whether you can get the last word.

I think it well to have one firm member in whom you can confide. A library committee, in my experience at least, pays very little attention to the library. It is difficult to get them together, and their main response is, if it costs money, "no."

(The remaining discussion referred to a duplicating machine for catalog cards and a corporate form file on display.)

(Whereupon, at 4:05 o'clock, the Tuesday Afternoon Session was adjourned.)

WEDNESDAY MORNING SESSION
June 24

The Wednesday Morning Session, a panel, "Certification and Education of Law Librarians," convened at 9:30 o'clock, President-elect Frances Farmer, presiding. Participants were: Mr. Thomas P. Fleming, Librarian, College of Physicians and Surgeons and Professor of Library Service, Faculty of Medicine, Columbia University; Mr. Samuel Sass, Librarian, The William Stanley Library, General Electric Company; Mr. Raymond Jacobson, Standards Division, United States Civil Service Commission; and Dean John Ritchie, Northwestern University School of Law.

CERTIFICATION AND EDUCATION OF LAW LIBRARIANS—A PANEL

CHAIRMAN FARMER: Members of the panel and members of the American Association of Law Libraries, in November, 1958 at the instigation of President Pollack, a memorandum was addressed to the members of the Executive Board which proposed that the Board consider the propriety of the Association undertaking two major studies: (1) Certification and Education of Law Librarians and (2) Qualitative Standards for Law Libraries.

The Board, at its mid-winter meeting in Chicago a month later, agreed to refer this proposal to the Policy Committee. Recognizing that both topics would require extensive study, the Policy Committee proposed as a first step, the holding of panel discussions at this convention to provide an opportunity for all members to register their views and express their opinions. It should be underscored that no detailed program was proposed to the Board, nor is one being presently drafted. The session today is to be exploratory on all fronts.

We are fully aware that conventional certification programs are not only controversial in principle but also invite numerous administrative difficulties. It is recognized, as well, that the establishment of standards for the members of a profession entails the accompanying responsibility

of developing and promoting an educational program designed first to assist prospective members of the profession to attain those standards, and second to foster plans for recruitment without which the channels already built may run dry.

As the November memorandum stated, "The true objective of certification should be better library service through intensified training of law librarians." This objective, through whatever program may be ultimately devised, becomes more imperative as law librarianship becomes more highly specialized.

William Roalfe, in an article published a year ago, ascribes the trend toward specialization as an inevitable consequence of the specialization of law practice and law teaching, all attributable to the rapid growth of the already vast body of the law. He also called attention to the substantial educational qualifications already possessed by a large number of law librarians and their attainments in the fields of teaching and writing. If this is true, as it appears to be, then, as suggested earlier, there is thrust upon our organization an intensified responsibilty for sustaining and even stepping up our professional standards.

Is it not surprising that a professional organization that can boast of a not inconsequential list of achievements on the substantive side and that has already observed its fiftieth anniversary, has not yet established some sort of "official" minimum criteria by which we determine a person's qualifications for designation as a member of the profession?

To ask this question is not to imply we have all been asleep at the switch. Indeed, AALL has served in many ways to develop and maintain the educational qualifications of those engaged in the profession. A special tribute is due to Miles Price and Marian Gallagher, two of our ablest members, for their tremendous contributions as administrators, as teachers and as placement officers.

These two people, as Directors of our first and most recent AALL Institutes, have been joined by William Roalfe, Ervin Pollack and Arie Poldervaart in ably planning and conducting to successful conclusions, the four pre-convention week-long study sessions, designed principally for newcomers to the field but which have been attended as well by others who find the Institutes of great value. Supported generally by the membership, these sessions have been a traditional feature of AALL's organized effort to promote the qualifications and calibre of service of our members.

The need for stressing a high quality of professional service, evidenced by numerous discussions that have been carried on almost continuously at our annual conventions since about 1912, and by regional groups of our Association, has had a healthy impact. It has kept the subject of training pretty consistently in the forefront.

What has AALL done about setting up standards thus far? Intangibly, many things; more concretely, three, all of which have been largely with reference to the law school librarian.

First, in 1935 the Association approved in principle a report of the Committee on Education to the effect

that legal education was essential and library training, on the whole, desirable.

Second, following the adoption of the standard by the American Association of Law Schools to the effect that member schools should have a qualified librarian in charge of the library, the Joint Committee on Cooperation between AALS and AALL drafted interpretations of the training requisite for a qualified librarian. These were included in a *Manual for Law Library Inspectors* published in mimeographed form in 1950 and compiled by Helen Hargrave.

The 1953 proceedings of the workshop conducted by the Chicago Chapter reflect the fact that when Dean Lester Asheim proposed a program based on his theory that a law librarian is primarily a librarian and not a lawyer, the weight of opinion of AALL members participating in that panel was pretty much in favor of the three degree principle for the law librarian's job.

Finally, our representative on the Subcommittee on Special Library Education of the CNLA, Julius Marke, drafted that part of the Committee's report setting out optimum educational requirements for the law school librarian.

As indicated, however, in all of these instances the emphasis has been on the position of the law school librarian. There have been no pronouncements with respect to the very large number of law librarians who serve in Bar, firm, and state and county libraries.

As an organization we can take considerable pride in the qualifications, rank and achievements of the members of our Association. We can also take pride in the fact that so many of our members are continuing to pursue their education while on the job. Yet there remain many cogent reasons for taking a definite stand on the educational qualifications of the members of our profession. Before we can arrive at such a stand, however, a good deal of study needs to be undertaken with a view to framing a progressive program that will be realistic and flexible and at the same time will reflect intelligent criteria.

Because we are not convinced that any one approach is preferable to another, we are anxious to explore various possibilities and to ferret out the hazards and pitfalls as well as possible advantages. This is the job of our panel members this morning, whom I now welcome.

Mr. Thomas P. Fleming, Librarian of Columbia University's College of Physicians and Surgeons, will tell us how the medical librarians have undertaken to meet their problems.

Mr. Samuel Sass, Librarian of General Electric's William Stanley Library, in Pittsfield, Massachusetts, and Chairman of SLA's Committee on Professional Standards, will follow up with an account of the dilemmas solved by the Special Libraries Association.

Mr. Raymond Jacobson, Assistant Chief, Standards Division of the United States Civil Service Commission, is to review the qualifications of federal government librarians.

And finally, Dean John Ritchie of the Northwestern University Law School, a Virginian who migrated to

the "Land of Lincoln," and who is highly skilled, as are all law school deans, in the art of switching on the red light, is here to throw some doubts on certification.

I should like now to present Mr. Thomas Fleming who will speak first on *Certification and Education of Medical Librarians.*

MR. FLEMING: Members of the American Association of Law Libraries, I don't know to what extent you are familiar with the certification program of the Medical Library Association. I shall attempt to give you a brief historical background and then lead into the type of certification which we have adopted and, finally, give an appraisal of it.

When the certification code was formally adopted in 1949, the Medical Library Association had just passed its fiftieth anniversary. First organized in 1898, this Association is the second oldest special group in the United States, next only to the National Association of State Libraries which began in 1887. Its objectives as defined in its 1899 annual meeting were, "the fostering of medical libraries and the maintenance of an exchange of medical literature among its members."

Evidently the Association started out primarily as a sort of clearing house for information among member libraries. The Exchange, described by J. F. Ballard as "the soul and heart of the Association . . . our Rock of Gibraltar, the life-line of our existence," was probably the main service of the Association during its first fifty years of life.

The publication of the *Bulletin* since 1911 has been the other important function of the organization. The high quality of its materials has earned it a position of prominence among library publications of the world and is a source of pride to the membership.

The Association started to admit individual members in 1904. However, it was not until 1929 that a new class of professional membership for library workers was established, an action indicating the Association's first step toward a professional organization. By the end of World War II, the professional membership had grown considerably, and in 1947, for the first time, the individual library membership was exceeded in number.

At the same time, the members became increasingly aware of the problem of getting qualified medical librarians sufficient in number to fill awaiting positions. After fifty years of growing, the Medical Library Association was ready to broaden its functions, and the certification program was set in motion once the call for the training of medical librarians was issued in New Haven in 1946. As one member put it, the Association was just following the logical step in the evolution of a profession. A well established professional association is bound to develop curricula for special training and to set up the professional standards for the education of its members.

Marshall's presidential address on the training for medical librarianship was itself not a call for certification. Essentially, it pointed out the basic differences between medical librarians and general librarians and emphasized the need for special training for

medical librarians and the desirability of setting up professional standards for the education of future librarians in the field.

In the enthusiastic discussion following the speech, special curricula in the library school, and also the problem of internship, received most attention, while certification was only briefly mentioned. A special committee was appointed to study the matter.

Based on the results of a questionnaire circulated in 1946 among the active workers in member libraries for basic ideas, the Committee under the chairmanship of M. L. Marshall submitted to the 1947 annual meeting a report which recommended a training program and also a certification program. The latter prospectus provided for Charter Certification and Grades I, II and III certifications correlating recommended training levels but no certification by examination.

Although the training program was unanimously approved, the certification program was tabled. S. V. Larkey, a member of the Committee, read his minority report arguing against the sponsoring of a certification by the Association. It was agreed that before a decision on the program was to be made, more time should be given to the members for considering the case.

Let me digress for just a moment and state that some of you may be able to say, "There but for the Grace of God go we," because to a certain extent our experience in the slow progress that was made is one that your own Association is going through.

In the next annual meeting in 1948, the Committee on Training for Medical Librarianship came up with a more concrete plan. It recommended that a permanent Central Committee on Standards for Medical Libraries and for Medical Librarianship be set up to take over the activities of the temporary Training Committee, and under the Central Committee four Subcommittees be appointed to deal individually with matters pertaining to certification, curriculum, internship and recruitment.

The Committee also submitted a revised code for certification which provided, in addition to Charter Certification and three grades of certification correlating prescribed training levels, a special certification by examination. The program was not put to a vote in that meeting, but it was practically an established fact, as the Committee was instructed to prepare a by-law covering its recommendations for the Committee's reorganization and for the provision of certification.

The Medical Library Association now has a certification program. In 1949 a certification plan based on three levels of training was approved. The three levels of training, designated by grades are:

Grade I, which requires completion of college and library school training, including an approved course of instruction in medical library service;

Grade II, which in addition to the completion of training for Grade I, calls for a term of supervised experience of at least six months in a medical library approved by the Subcommittee on Internship; and Grade III, which requires graduate work in library science and in medical or related subject fields leading to an ad-

vanced degree, or completion of a two-year course of correlating work, leading to an advanced degree. Besides certification at Grades I, II and III, the Medical Library Association issued two other types of certification: Charter Certification and Special Certification.

Charter Certification is no longer available since there was a time limit of five years from the adoption of the program. However, it had the following requirements while it was in effect:

1. A Charter Certification may be granted to those who, on the day of the program's adoption, have completed five years of professional experience in a medical or allied scientific library (hereinafter designated as a "medical library"). Experience will be judged as professional or non-professional on the basis of the study, "Descriptive List of Professional and Non-professional Duties in Libraries," of the American Library Association Board of Personnel Administration, as applied to medical libraries by the Committee on Task Analysis of the Medical Library Association.

2. On those who have entered the medical library field within five years prior to the program's adoption, a Charter Certification may be conferred, subject to the conditions as stated in the preceding paragraph, on completion of the period of five years' experience.

Special Certification is described in the following way: Certification may be granted, in exceptional cases, to persons presenting credentials other than those as here specified, by examination given at the discretion of the Subcommittee on Certification on the basis of individual case study. If an applicant for Special Certification fails the examination, he may apply for re-examination after one year's interval of added professional medical library experience.

When the Charter Certification was closed in 1954, the Committee on Standards for Medical Librarianship had granted a total of 375 certifications among which were 307 Charter Certifications, sixty-three Grade I, four Grade II and one Grade III certifications. Since at the time of the certifying program's adoption in April, 1949 there were 364 professional members who could qualify to receive a Charter Certificate, the actual Charter Certifications granted represent about 84 percent of all qualifiers.

At the last count as reported in 1958 (the 1959 report is not yet available), a total of 438 medical librarians had been voluntarily certified by the Medical Library Association. Besides 307 Charter Certifications, the remainder is made up of 124 Grade I certificates, six Grade II and one Grade III certificate. And you will notice that the 307 figure is never going to get any larger because there are no further certifications in that class.

Grade I recipients are those individuals who have a college degree, a library school degree and have taken, in library school or subsequently, certain prescribed courses for medical library service. There are six Grade II certifications. That means these people went through all of that rigmarole and in addition took a six months' internship, and to date only one Grade III certificate has been issued.

Since there was an increase of 330 since 1949 in the Association's active membership (equivalent to professional membership before 1950; 1949: 365, 1958: 695), the above statistics of graded certifications indicate that about four of every ten new active members of the Association are certified medical librarians. It seems to be a good percentage. On the other hand, the total number of certifications issued as of 1958, is found to be still less than the Association's total institution membership (558), indicating that certification has yet a long way to go.

During the past decade, since the adoption of the certifying program in 1949 to 1958, the total membership of the Medical Library Association has increased from 835 to 1362, or 63 percent. It is safe to assume that this sizeable gain in its membership was largely due to the Association's vigorous campaign in promoting the professional standards of which the certification program was an integral part.

Certification may have only an intangible value. But a profession-sponsored certification program administered properly does have a premium over the degree from a college. The key factor is that it has an effect of standardizing the requirements in academic as well as professional training for the future members of the profession. In this respect, the professional association is the best qualified party to prescribe the standards. A certification program, therefore, does provide a stimulus to the improved curricula and to the recruitment of new blood into the profession.

It is apparent that a successful certification program must be backed by a well planned curriculum program and a 100 percent cooperation from the colleges and the resident organizations. Fortunately, the Medical Library Association had the foresight to set up four subcommittees to deal with certification, curriculum, internship and recruitment. All of the subcommittee officers have worked very hard. The Association's prescribed curricula have already exercised a noticeable influence over the library schools which offer courses for medical library students.

Nevertheless, in view of the small number of Grade II and Grade III certifications granted during the past decade (six and one respectively), I believe that the Association will have to amend somewhat its internship program as well as its certification program, in order to make both more fruitful. It seems either the internship required for Grade II should be loosened up or more member libraries should be persuaded to provide such opportunities for gaining the experience it requires. Grade III should be made a logical progressive step beyond Grade I and Grade II. As it is now, Grade III is an illogical step. One does not have to have Grade I and Grade II in one's background in order to get Grade III.

CHAIRMAN FARMER: Thank you, Mr. Fleming.

Mr. Sass will now address us on the topic, *The Special Libraries Association Takes a Step Forward.*

MR. SAMUEL SASS: Since I do not claim to be an authority on certification of librarians, I told your Chairman I would be very happy to discuss

the one phase of this question with which I am familiar. That is the problem of professional standards as it affects the Special Libraries Association, and how we are attempting to deal with it.

As I see it, SLA faces two major problems in its efforts to establish and maintain standards. One of these —as a matter of fact this is a problem that all librarians have in common— was best described by Mark Twain in a piece published for the first time in the December, 1958 issue of *Harper's Magazine*. He was discussing writers who attempt to write without first getting the proper training, and here is what he said:

> I am sure that this affront is offered to no trade but ours. A person untrained to shoemaking does not offer his services as a shoemaker to the foreman of a shop. . . . He would see the humor of it; he would see the impertinence of it; he would recognize as the most commonplace of facts that an apprenticeship is necessary in order to qualify a person to be tinner, bricklayer, stonemason, printer, horse-doctor, butcher, brakeman, car conductor, midwife—and any and every other occupation whereby a human being acquires bread and fame.
>
> But when it comes to doing literature, his wisdoms vanish all of a sudden and he thinks he finds himself now in the presence of a profession which requires no apprenticeship, no experience, no training—nothing whatever but conscious talent and a lion's courage.

Mark Twain was wrong, of course, in thinking that only the writing profession suffered from this condition, since his words apply equally well to the library profession.

What is especially distressing is that the library associations have continued to encourage this attitude by opening their doors wide to any individual who was willing to pay dues, even if the only Dewey that individual ever heard of was the one who told Gridley to "Fire when ready."

The second major problem faced by special librarians, and I suspect this is by no means outside the experience of law librarians, is that in many cases they are not hired by other librarians or by library boards, but by individuals who do not have a good idea of what the qualifications of a competent librarian should be.

In the SLA this condition is painfully evident in the industrial library field. I should say here that the management of our five thousand industrial librarianships is in the hands of people who too often are unaware of what preparation should be expected from individuals being hired for the positions. As a result, the term "librarian," as used in industry today, covers the entire spectrum from well-trained librarians who administer first-class libraries to totally incompetent individuals who by sheer accident of fate have been placed in charge of something which, whether it deserves the designation or not, is called a library.

To illustrate what I mean, I want to call your attention to some items which recently appeared in the industrial press. No long ago the magazine *Factory Management* ran an illustrated story which reads as follows:

> Yes, that is a library (photo supplied). Tucked away in twelve square feet of file space at ———— Company and run by File Clerk so and so as part-time (one or two hours a day) librarian, it consists of over one

> hundred publications stored chronologically in corrugated file drawers or steel shelves. . . . Also stored is an assortment of pamphlets and catalogs filed in manila folders according to subject. A card file helps Tom keep track of what's in his library. . . .

There is no need to go on further, except to point out that the ———— Company, which maintains this library is no small job shop but a plant employing 2,500 of whom nearly three hundred are engineers.

Another recent example, which also illustrates the state of affairs in the industrial library field, is the following letter to the editor, which appeared in the magazine *Plastics Technology:* "Dear Sirs: Can you tell us if there is any source in this country where we might obtain a reprint or a photostat of an article from a foreign country magazine?" It was signed, "Research Librarian" and came from a well-known manufacturer of paper products in Framingham, Massachusetts.

A third example has even more serious implications. An article on evaluating engineers appeared in the publication *Machine Design.* In addition to grading engineers, other classifications, including those of accountant, librarian, stenographer and even charwoman, were evaluated, using the same measuring factors. These factors came under the major headings of skill, effect intensity, responsibility, inherent personal qualities and application.

The results are something of a shock to the industrial librarian, because the total score assigned to the librarian was considerably less than that given to a junior tool technician and shipping clerk, and about the same as that assigned to the janitor-watchman and switchboard operator.

Since the major evaluation factors were broken down into many narrower categories, I will not take time to discuss these in detail. However, one or two of these are worth examining. Under "skill," the heading "academic training" is listed and is further broken down to "liberal" and "technical," meaning liberal arts training and technical training. Under "liberal" the librarian is awarded six points and under "technical" no points at all. Compare this with a junior accounting clerk who is given six points for "liberal" and eight for "technical," or with a chief draftsman, who is given eighteen points for "liberal" and twenty-four for "technical."

From the standpoint of education, the consulting engineer who made this evaluation placed the librarian's educational requirements on a par with those of secretary, junior accounting clerk and stenographer. You may also be interested in knowing that he did not think the librarian needs any analytical power at all and that the librarian's need for resourcefulness is exactly that of a switchboard operator and janitor-watchman.

These three examples, considered as a whole, illustrate a deplorable situation. Industry hires people who have not the slightest claim to the title of librarian, calls them librarians, and then judges the entire library profession by these totally unprepared individuals who should never have been doing library work in the first place.

Now why should this state of affairs concern those of us who can lay legiti-

mate claim to the title of librarian? Is it that our pride is hurt when we are asked to share this title with a file clerk? Possibly, and I don't believe there is anything wrong with this very natural personal reaction. However, there is something more basic involved here from a professional standpoint. As a profession, it is the legitimate concern of librarians that library service be maintained on a high level so that people seeking the service are not given something which is even less than an inferior substitute. I firmly believe this real concern is an essential ingredient of any occupation which wants to be considered a profession.

That the SLA has been troubled for years by this situation I have described is demonstrated by the fact that practically from the year of its birth, a half century ago, sporadic attempts were made to adopt some sort of professional standards. Unfortunately these attempts met with no success until last year, when, finally, a major step was taken and new qualifications for membership were adopted.

There are two major reasons why the Professional Standards Committee of SLA decided that adoption of professional qualifications for membership in the Association was a logical first step in a professional standards program.

First, it took the SLA off a rather vulnerable spot. As matters had stood until then, it was rather difficult, if not outright foolish, for the SLA to criticize the hiring of a file clerk as an industrial librarian if that clerk was eligible for membership in the Association. Until January of this year, we in the SLA were ready and willing to embrace to our collective bosoms anyone, literate or illiterate, who was willing to part with the price of Association dues. Since bestowing membership on an individual is in essence a proclamation that "here is one of us," it seemed to the Professional Standards Committee that a tool company, for example, could hardly be blamed for choosing its librarian so haphazardly if SLA actually showed just as little discrimination in choosing its members.

Secondly, the adoption of membership qualifications which would exclude the unqualified was a completely internal matter entirely under the Association's control, and therefore a goal attainable within a reasonable time. Certification, for example, is not in that category, because it begins to involve government agencies.

Let me say right here that although the Medical Library Association has certification, I believe that certification, to be effective, must have some governmental backing behind it. I am thinking of the kind of standards the Certified Public Accountants or the registered professional engineers have adopted. This may be open to debate, and I will be ready to discuss it, but certification, in my mind, sooner or later must involve governmental backing of some kind.

We did not exclude the possibility of certification. It was the idea of the Committee that this might come later. But even if it did, the spelling out of qualifications for special librarianship would still have to be a preliminary step. With this objective in mind, the Professional Standards Committee un-

dertook the task of revising those sections of the SLA constitution which dealt with membership.

Before discussing these revisions, let me briefly review the old requirements which were replaced. We had eight types of membership: Active, Associate, Student, Institutional, Sustaining, Honorary, Life and Retired. (We did not include the deceased.) Since only three were really significant, I will limit my comments to them.

These are the old requirements: Active members could be "individuals who are actively engaged in library, statistical or research work, or who were formerly so engaged. They shall be entitled to receive the *Journal* free, to affiliate with one Division without further payment, to affiliate with the Chapter of their choice, to vote at all meetings of the Association and to hold office."

Requirements for Associate membership were exactly the same as for Active membership, but the privileges differed in that an Associate member could not hold national office. The choice of which membership an applicant wanted to accept depended entirely on the applicant's preference and affluence. The dues for Active membership were five dollars per year more than those of Associate membership.

The Institutional membership was open to "individuals, libraries, firms or other organizations maintaining a library, statistical or research department." It gave the individual or institution holding this membership the privileges of Active membership.

An institution could appoint a representative who in effect became an Active member. There were no provisions of any kind concerning the qualifications expected of such a representative so that if some industrial firm wanted to appoint a recent grade school graduate to represent it, the Association had no choice other than to accept him. As a matter of fact, it is just sheer luck that SLA membership managed to remain limited to the species *Homo sapiens.*

I want to call your attention to the fact that our requirements used the term "individual" rather than "person." If some institution had decided to define the word "individual" in its strictly biological sense, that is, as a single organism as opposed to a group, no one knows what we might have had to admit to our ranks.

I am sure it is obvious from what I have just said that the old SLA membership requirements were really no requirements at all, since, for all practical purposes, membership was completely unrestricted.

To remedy the situation, the SLA Professional Standards Committee recommended, and the membership accepted, new membership requirements which were more in keeping with the aims of a professional society.

In revising our membership qualifications we accepted two basic premises: the first was that in order to be a special librarian, or for that matter any kind of librarian, one had to have training in librarianship. I realize that by making this statement I am injecting myself directly into the well-worn debate on subject training *et al* vs. library training. I won't burden you with my opinions on the question except to say that by this emphasis on

training in librarianship we are not excluding the need for subject training where the position in question requires such subject knowledge. I will be glad to discuss the point further, if necessary, during the question and answer period. I am sure it has been debated often.

The second premise was that the optimum training available is that offered by the fifth year library school. Following this reasoning, our membership requirements allow the admission to the grade of Associate member any graduate of such a school who is employed in a professional capacity in a special library. Graduates of a four-year college with a major in library science must have a minimum of one year's experience in a special library before they can become Associate members.

We recognize, of course, that college graduates with subject training and no library school training at all do come into the special library field and often become excellent librarians. In their case it was felt that a minimum of two years of professional library work was necessary before they could be considered as having had enough experience to qualify as Associate members. We even allowed for the possibility that an individual with no college training of any kind might, under certain conditions, merit membership in the Association. In this case we felt that he should have a minimum of seven years' experience in library work. At least two of these years must have been spent gaining professional experience in a special library.

Since our highest grade of membership, Active, entitles the holder of such membership to hold national office in the Association, it was felt that nobody was qualified to do that who did not have some experience in the special libraries field and thus had some opportunity to become acquainted with its problems.

Regardless of academic training, therefore, no individual can become an Active member until he has had a minimum of three years of professional experience in a special library. As our requirements now stand, a graduate of a five-year library school must have a minimum three years of professional experience in order to become an Active member; a college graduate with a major in library science must have four years of experience, including three in a professional position; a college graduate without any library school training must have five years, including three in a professional position; and the person without a college degree must have ten years of experience in library work with at least five years of professional experience in a special library.

You will note that for each of the four groups of qualifications the difference between requirements for Associate membership and Active membership is three years of professional experience. In other words, our top membership is Active membership, and nobody can be an Active member unless they have had three years of experience in a special capacity in a special library. I should add we also require that as soon as an Associate member is eligible for Active membership he must transfer to the higher grade.

Both Active and Associate member-

ships stipulate that the members be employed in a special library. In other words, we believed a special library field has its own problems, and although this was suggested, and certain people thought we were being too exclusive, we did not word our requirements so that librarians employed in general libraries could become members of our Association.

An Affiliate membership, which does not carry with it the privilege of holding office or voting in the national Association, was established for anyone who wished to join the Association who was engaged in professional bibliographic work in an organization other than a special library. This was intended to accommodate so-called "documentalists" and "literature scientists" who felt that it would be to their advantage to have close contact with the Special Libraries Association.

Since I have used the terms "special libraries" and "professional experience" frequently in outlining our membership requirements, I believe it is in order to tell you how we defined them.

A "special library" was defined as "a collection of informational material, maintained by an individual, corporation, association, governmental agency or any other organized group and primarily devoted to a special subject and offering organized service to a specialized clientele." (That certainly sounds special.)

Special subject departments of university and public libraries and of the Library of Congress were considered special libraries. "Professional experience" was defined as experience in the following:

1. Administration of a special library.
2. Evaluation, selection, organization and documentation of material in a special library.
3. Reference and research in a special library.
4. Bibliographic work in a special library.

This gets away from the general statement, "anyone employed in a special library," which could include anyone from the mail girl to the janitor.

As used in connection with Affiliate membership, professional bibliographic work was defined as "selection, organization and documentation of information in an organization other than a special library."

To summarize, we ended up with the following eight classes of membership: Active, Associate, Affiliate, Student, Sustaining, Honorary, Life and Emeritus.

I have discussed the first three, which I believe are the most significant from the standpoint of professional qualifications. I do want to call your attention to the fact that we eliminated Institutional membership which, under the old provisions, gave the institution the right to appoint a representative with privileges of Active membership.

We now have a Sustaining membership for "an individual, firm or organization, interested in furthering the objectives of the Association." Dues are one hundred dollars. This classification carries with it no privileges other than that of receiving one copy of any Association publication which is desired.

In adopting the new membership

qualifications we naturally could not make them apply to people who were already members of the Association. Let me digress here for a moment and say that this was one of the hurdles we met. People in the Association were afraid that because they couldn't meet the qualifications being set up they wouldn't be members of the Association. Of course, that was not our intention. We froze the membership as of a certain date.

We ran into a kind of psychological problem here. Even after we had convinced everyone that the membership would be frozen as of a certain date, individuals who knew they couldn't meet the new qualifications felt they would be included just on sufferance. We had to persuade them to bury their personal feelings and think of the future of the profession. They were members of the profession now, regardless of how they got into it, and the only important goal was the improvement of the status and qualifications of special librarians.

I think we persuaded them to surmount their personal feelings. The final vote on the changing of the constitution proved conclusively we had done a reasonably good job. It was an overwhelming vote.

These membership qualifications were not retroactive but took effect on the first of January, 1959, several months after the membership voted to accept the recommendations of the Professional Standards Committee. Members who had Active membership status by virtue of the fact that their employers maintained an Institutional membership were allowed to transfer to Active membership, if they availed themselves of the opportunity to do so before the new qualifications went into effect. If they failed to do this, they had to apply on the basis of their personal qualifications for that grade of membership for which they were eligible on the basis of training or experience.

So much for our membership qualifications. Now where do we go from here? Unfortunately it's a long step between the adoption of qualifications for special librarians by the Special Libraries Association and the recognition and acceptance of these standards by those who are responsible for hiring special librarians.

The immediate problem is the publication of these qualifications so that they became known in places which count. In an effort to bring this about, news releases were sent out to several hundred media which reach employers of special librarians. Additional activity along this line is being planned.

The proof of the pudding will be, of course, how successful we are in getting our standards accepted after they become generally known. I don't think anyone connected with this project is suffering from the delusion that this will be easy. We know it will be a long and difficult job.

Personally I am not without some optimism. I know, for example, that there is ample precedent in industry for recognition of standards established by professional associations. My own company, for instance, will hire as full-fledged chemists only those who have degrees in chemistry from colleges approved by the American Chemical Society. Similarly it will hire as full-fledged engineers only those

who are graduates from schools accredited by the Engineers' Council for Professional Development. Surely it is not too much to expect that the time will come when, before hiring a librarian, the company official responsible will determine whether the applicant is eligible for membership in the Special Libraries Association, and will hire him only if he is so eligible.

That this time has not yet arrived and will no doubt be slow in coming is, I am afraid, as much the fault of the librarians, themselves, special and otherwise, as of anyone else. For years librarians have been cast in the role of stepchildren of the professions, and they docilely accepted this role. They have not asserted themselves as a group to a sufficient extent to gain the recognition which has been the reward of other, even much younger, professions.

Let us hope we are now at a juncture in our professional history where the turning point is at hand and that an intensive effort will be made by each library association to establish professional standards, by any means it finally selects, which will tell the world that it takes more than the possession of a date stamp on the end of a pencil to identify a professional librarian.

CHAIRMAN FARMER: Thank you, Mr. Sass.

It gives me great pleasure to present Mr. Raymond Jacobson, who will speak to us on, *Qualification Standards of Librarians in the Federal Government.*

MR. JACOBSON: I obviously come to you not as a librarian, and I will not claim any real expert's knowledge in the area of library science. What I will try to do is provide some basic factual information about the standards now in effect under the federal Civil Service System for filling librarian positions, with a special reference to law librarians.

The federal government employs about three thousand professional librarians. I cannot tell you how many of these are in the field of law. This probably makes us the largest single employer of librarians in the country. We are the largest single employer of almost everybody in the country, in any occupation. The standards which I will describe are those that are used in filling most of these positions.

Although the Library of Congress, which actually accounts for about six hundred out of these three thousand positions, is not subject to the federal Civil Service System since it is an agency of the Legislative rather than the Executive Branch of the government, it is subject to the job classification system administered by the Civil Service Commission, but not to the qualifications standards of the Commission. We have our own series of interesting quirks in our administrative relationships as the example given above demonstrates.

Since we are a major employer of people with the kinds of specialized training and experience represented by members of this organization, you may be naturally concerned and interested in our concept of what it takes to do a librarian's job, and the Commission is interested in the profession's own definition of requirements. I believe this kind of exchange of ideas can be mutually profitable.

Previous to discussing the standards,

themselves, I would like to be sure that we all have a common picture of the setting in which these standards apply.

Before librarian positions or any kind of jobs in a federal department can be filled, they have to be described, classified and graded under a duties classification system. This system, which has been in effect since 1923 without too much change, provides for the ranking or grading of the white collar jobs in the levels of difficulty and responsibility which we call "grades."

Each grade has a range of pay rates attached to it by law which can be changed only by the Congress. For example, Grade 5 in our General Schedule (our General Schedule is the only schedule we have now, but we still call it by that title) is the grade which is the most typical one for a college graduate with a bachelor's degree but no experience. The rank carries an annual entrance salary rate of $4,040, with a maximum of $4,940.

The major objectives of this classification system are, first, to provide for an orderly arrangement of jobs so as to properly reflect the relationships between all jobs covered by the system. Second, to serve as a basis for substantially equal pay for equal work, and third, to serve as the basis for recruiting, selection and examining of personnel on a merit basis as well as for other personnel activities, such as training, reductions in force—matters of that kind.

Each department and individual agency of the government, and we have something like sixty-odd of them, decides the proper grade level for each of its own positions, except for the very few that it wishes to place in the top three grades of the system. We call these latter "Super Grades." They require prior approval by the Civil Service Commission.

The department official who makes classification decisions on individual jobs is required to base his actions on the classification standards published by the Civil Service Commission, and his actions are subject to a spot check type of audit by the Commission. In this way we hope that we are retaining reasonable uniformity of grade levels for work of the same difficulty and responsibility, even though the jobs are located in different departments and are classified by different people.

Within the Civil Service Commission, the Standards Division, or the Bureau of Programs and Standards—which are hierarchies—are responsible for preparing and publishing the job classification standards which I have just mentioned and also for preparing the qualification standards to be used in recruiting and examining candidates for Civil Service positions.

We try to recognize fully the interplay, interrelationship of duties and responsibilities, and qualification requirements by using both the classification standards and the qualification standards in a full study of the occupation. In making such studies we gather information about the work done and about the characteristics of the people who can execute such work successfully.

We do this through interviews with workers in the occupation, with supervisors, with management and the per-

sonnel officials and, in the case of professional occupations, with representatives of appropriate professional groups. In the case of many non-professional occupations we find ourselves dealing similarly with representatives of employee groups or unions. However, we are concerned primarily with the way in which a particular occupation functions in the federal government. We don't make any significant study of jobs in any other light.

Just to give you an idea of the scope of our standards development job, there are about five hundred different white collar occupations for which we have this responsibility. Professional fields of work range from librarians—I should mention those first, in this group—attorneys, teachers, economists, engineers, chemists, biologists, foresters, veterinarians, chaplains, operations research specialists, and what have you. In addition, there are many clerical occupations, managerial jobs, accountants, investigators, inspectors, business specialists, procurement specialists, computer programmers, and so on, represented in this work force of about a million white collar employees.

We also develop qualification standards for a large variety of laboring and trade jobs in the so-called "blue collar" group of about 800,000 employees and for about 500,000 postal field service workers which includes the carrier on the beat, the postal clerk and the other personnel in the Post Office Department.

Working in this manner, we issued new qualification and classification standards for librarian jobs in the federal service which were published about two years ago. Actually, we started developing them many years before that. As the classification standards now stand on the books, they recognize the existence of two different kinds of specialization among librarians. One type of specialization is by library function, such as administration, acquisitions, cataloguing, reference. The other kind is by knowledge required of a specialized subject matter field.

The subject matter fields we presently use we title first: law, medical and biology sciences, physical sciences and engineering, and the social sciences and humanities. Some jobs are specialized both by function and by subject matter. For example, a reference library in the field of law.

The qualification standards for librarians follow a general pattern of requirements typical of many other professional fields. I should say to Mr. Sass that I was aghast at the consulting engineer's report which lined up librarians with janitors. We haven't been doing that. We may be guilty of other things, but we haven't been doing that. We have been qualifying librarians with other professional fields of work for sometime.

The basic entrance grade level for librarians is 5 with, as I mentioned before, an entrance salary rate of $4,040. For this level we require an applicant to have a bachelor's degree with at least twenty-four semester hours in library science courses or equivalent experience. I will explain a little later on what we mean by "equivalent experience." However, for a Grade 5 librarian position, which requires specialized subject matter

knowledge, we will accept a college degree with a major in the appropriate subject matter field. For example, for a GS-5 law librarian position, an LL.B. degree from a three-year accredited law school is acceptable as fully satisfying our requirements for that grade.

The next level or grade for librarian positions is GS-7, with an entrance salary of $4,940 per year. For this grade we require either a master's degree or one year of graduate study, provided at least thirty semester hours of library science has been included in the graduate and undergraduate education combined. We will also accept as qualifying a person who meets the GS-5 requirements and, in addition, has had one year of successful, progressive experience as a professional librarian.

For the next grade or level of work (our GS-9, with an entrance salary of $5,985 per annum) a minimum of one additional year of progressively responsible librarian experience is required beyond the next lower grade requirements. The same is true for the next higher grade, above GS-9, which is usually our grade GS-11, with an entrance salary of $7,030. Above the GS-11 grade we do not formally require additional years of experience.

I would like to make it clear that we actually attach less importance or weight to the number of years of experience an individual has, than we do to the level of quality and responsibility which that experience represents. To meet the basic minimum requirements for any particular level or salary range, the individual must demonstrate not only that the minimum number of years of experience has been attained, but that the work performed has been of a sufficiently complex or responsible nature as to have demonstrated that he or she is probably able to perform successfully in the grade for which he is being rated.

Let me go back now to the phrase "equivalent experience" which I used earlier in this talk. You will remember I said we required for the college entrance grade either a college degree with a library science or other appropriate major, or "equivalent experience." This concept of equivalent experience is a troublesome one in many professions, especially those which are somewhat junior to the very well established and long-recognized professions. We never speak of equivalent experience when we speak of the requirements for a medical doctor. In our society today there is obviously no possible experience substitute for the M.D. degree and a license to practice medicine. The same can be said of the law and other professions.

However, in many professions, including librarianship, there seems still to be room for the capable, experienced, intelligent person who hasn't had too much pertinent formal education, but who sometimes can prove able to do the professional job. We have been particularly concerned with the problem of making certain that those people who are to be qualified on the basis of equivalent experience have actually acquired the basic knowledges, skills and abilities usually obtained through formal education. We certainly do not know all the answers

to this, but we are trying to deal with it as forthrightly as possible.

For librarians we define equivalent experience as follows (and I will quote from information we would use in examination announcements to acquaint applicants with what they will have to meet). The practice for four years of successful and progressive experience in library work must have provided training in the practical application of knowledge and abilities essential for effective library service. "To qualify on the basis of this experience the applicant must establish conclusively that the experience has included the practical applications of the methods and techniques of standard library practices to library work and that it has provided"—and this is probably the most important part of this long gobbledygook sentence—"and that it has provided an understanding of methods and techniques comparable to that which would have been acquired through completion of a standard library science curriculum in a college. . . ."

Obviously this is pretty general and pretty vague language. It is difficult to interpret and apply in individual cases. However, the attempt and reasoning, I think, are relatively clear. The performance of ordinary library assistant duties should not automatically qualify an individual for a professional librarian position. The total experience record must demonstrate the capacity to perform in a professional manner, or it is not equivalent experience regardless of the number of years involved.

In two other important professional areas we have used a somewhat different technique to handle this problem of equivalency. These fields are engineering and accounting. In both these cases we have developed, with a great deal of help from the professions concerned, written tests of a subject matter nature, which we try to keep up to date. This is particularly tough in engineering. These tests are not required for the applicant who qualifies by virtue of specialized education, but only for applicants who are trying to qualify on the basis of equivalent experience.

By a careful process of test validation studies we find that we can generally rely on these examinations to distinguish the person who has grown and developed in a profession over several years of experience from the person who has had the same type of experience repeated many times over and has not developed.

I am not necessarily proposing a similar solution for the equivalent experience problem in the library field. I simply thought you might be interested in this other avenue of attack which seems to be working reasonably well in these other fields of work. I might add that it is a fairly expensive avenue, for the Commission at least, and I am not sure of the degree to which we are equipped to go into extensive equivalency examinations.

Before closing I want to make myself clear on one point: my recommendations may have left the impression that I believe that we in the Commission have developed a nearly perfect standard for recruiting and selecting librarians. I hope they have not, because that is not a true reflection of our attitude. I have tried to

describe our standards in some detail merely to give you an understanding of it for such value as it may have in the deliberations of this general problem being faced by this meeting. We, in the Commission, are the last to believe that any standard we have is perfect. We know them too well.

The whole problem of standards is always one of trying to draw a line that is arbitrary and therefore inherently unjust. People like to think of written tests as being good objective measurements, but we know the very best we can do in determining a cutting point on a test is to maximize the possibilities of predicting that the people who pass it are more likely to do better than people who fail it, especially as you approach the passing point. In some cases high failures might perform better than some of the people who barely passed. This is true whether we are dealing with tests or experience measures, or anything else.

We are constantly trying to improve our standards, but we realize that major improvements depend on learning more about the basic problem of how to accurately predict the ability of human beings to perform effectively on the job, and while searching for new knowledge in this difficult area we will continue to look for ways to make important improvements in our standards. Your comments, suggestions and criticisms are always welcome.

CHAIRMAN FARMER: We are grateful to you, Mr. Jacobson, for bringing us these very helpful comments on our problem.

I now introduce Dean John Ritchie of the Northwestern University School of Law who will express his views on *A Certification Program for Law Librarians.*

DEAN RITCHIE: As I understand my responsibility on this program, I am to express the viewpoint of one law school dean on the suggestion that a certification program of law librarians be inaugurated. I am sure it is not necessary for me to tell you I can speak only for myself. Law school deans are almost as individualistic and unregimented as are law librarians, and I have no authority whatsoever from my brethren to speak to you on this or any other subject.

I will address you by asking questions, some of which members of the panel have answered to their satisfaction with reference to other disciplines.

First of all, Who is to be examined by whom? I suppose that could be subdivided into two questions: What qualifications are to be certified? How is it to be determined whether a particular individual satisfies those qualifications? In other words, how is certification to be accomplished? Is certification to be a requirement to hold a job or is it to be a privilege, a prestige factor?

More specifically, it is my understanding that, functionally speaking, law libraries—or I should perhaps best say, law librarians or law library staffs —are concerned with general administration, with acquisition, cataloging and classification, reader services through reference librarians, page boys, and what not. When it is suggested that a certification program for law librarians be inaugurated, are you

thinking in terms of requiring certification of those who are to have the overall administrative responsibility for the library, the law librarian and perhaps also the assistant librarian? Or are you thinking in terms of the certification of those who handle classification or research reference? Are you going right down to the peons who service the students, the student assistants?

Who is to do the certifying? Is it to be the AALL, the ABS, the AALS, the ABA, or one or more, or all of them?

There is another objection I am going to make upon which I am sure all of us will agree, and that is, it would be a horrendous mistake for the AALS or the ABS to undertake a certification requirement for law librarians. Is there any dissent on that? I think not. I have served on the Executive Committee of one, and I am on the Council of the other. I assure you we don't have the knowledge to establish standards intelligently, to police standards or to certify individual law librarians and the individual members of law library staffs. So I suppose that if a certification program is to be inaugurated, it should be undertaken by your Association. Certainly you are the most competent, best informed, most enlightened; indeed, as far as I know, the only ones who would be able to establish the standards and administer them effectively.

What qualifications are necessary for certification? What do you have in mind here? This question, of course, stems closely into my earlier query: Who is to be certified? What I have reference to, among other things, is this: it would seem to me that one who is the administrative head of a reasonably large law library, with a staff of a dozen or more professional librarians under his direction, should be distinguished certification-wise, as certainly he will be salary-wise, from the law librarian who is serving as the chief of a small library. One who may be the only professional person in the library.

To state this another way, there is a difference, it seems to me, in the qualifications for one who is responsibly heading the diversified duties of a large law library and one who is administering a small library. Indeed, a law library, perhaps, in which he or she is the only professional person on the staff.

Maybe I am erecting a strawman to be knocked down. I am not doing so consciously; I am exploring with you doubts which have occurred to me. If you are going to recognize a gradation according to responsibility assumed by the law librarian, how are you going to do so? Is it to be in terms of the number of volumes in his library, or the number of professional people on his library staff? What is to be the basis for determining the categorization of certification for law librarians? Perhaps the medical people have solved this problem, although as I understood it from the three classifications, it seems dubious to me. Also, are you going to require a separate certification for the cataloger, for the head of acquisitions, for the reference librarian?

In determining what these qualifications are to be, let me ask you this question: Are you going to accept on-the-job training, which I believe you

have referred to appropriately as "internship?" Are you going to require formal academic training, and if so, what formal academic training? I suppose ideally, those who serve on the staff of a law library should have a B.A. degree, a first degree in law and a degree from a school of library science. How many law librarians possess them and satisfy this ideal in terms of formal education and training?

I have the privilege to serve with two law librarians whom I consider top flight. As I understand it one does not have a formal library degree. I think he has no peer. The other has a Ph.D. library degree, but no law degree. In my book he is absolute tops. I would be much concerned should any certification requirement be adopted which said that in order to be certified as qualified to serve as a law librarian one would have to have three degrees —a B.A., an LL.B., and a library science degree or diploma. It would seem to me this would be an artificial sort of standard to adopt because, after all, what one is concerned with is the ability of the individual to do the job. Of course there is a correlation between one's academic training and one's ability to handle a position, but obviously there are those who are able to serve well who do not have formal academic training. Indeed, I believe that one of America's most distinguished law school librarians had not one of the three degrees we have mentioned. Yet he served with great distinction in what I understand to be the largest library in the largest law school in the Western World; indeed, I suppose, in the world.

I ask now, how is accrediting to be accomplished? I understand, and I say this in no sense critically, that the medical librarians solved this initially in large part by blanketing in all who were then medical librarians and who had five years of experience before the cut-off date. Of course, that was a very wise and shrewd and desirable thing to do. That's the way you get certification programs adopted. No criticism on this, understand. It struck me as somewhat odd, however, that five years of on-the-job training before 1954 satisfied requirements, but five years after 1954 did not. Unless there is some difference in the training in the later five years, this does not make much sense.

How are you going to determine whether a person meets these necessary qualifications? Is it by establishing some arbitrary number of years of internship, of on-the-job training? If so, what is the magic in those years? I believe the three gentlemen who preceded me on the platform—I may have misunderstood them—each had a different period of years in mind as necessary to classify in a particular category. There may be something I missed, but the difference between job classification and qualification standards is too subtle for me.

In any event, I suggest that in establishing a period of years as the basis for classification, what is really important is what has been the nature of the experience during that time. How well the responsibilities have been discharged, how broad the experience has been and what responsibilities have been assigned.

Are you going to certify on the basis that a person has a degree from a li-

brary school? If so, the real question is the standing and reputation, the evaluation of the school from which the degree is held. What sort of a job is that school doing in training people? The real test is the nature of the preparation a school offers. To say that anyone holding a degree is certified really doesn't add anything to holding a degree.

Thus, I am forced by conclusion to say that if you are going to certify, you will have to certify by examination. If certification is to be meaningful, that is the only way to make it meaningful. Here I suppose you follow the analogy of the Certified Public Accountant who is required to pass an examination or the licensing procedure for most of the professions which require examinations—the law, medicine, etc. So I submit, if you are going to certify, you should certify on the basis of examination.

Now, one more word: is certification to be required to hold a job? Is certification to be the union card which admits you to a closed shop? Maybe I am using emotion-packed words to dramatize what I am trying to suggest to you. I can respond in this fashion. I would be unilaterally opposed to the Association of American Law Schools or the American Bar Association requiring certification of law librarians as a condition of a school's approval for membership in the AALS or approval by the ABA. I think the present flexible statement in the standards of the AALS is desirable. It simply requires the hiring of a full time law librarian who is qualified, and leaves the matter of qualification to construction and interpretation by the schools and those who specify the schools on behalf of the AALS. And I hasten to add that I would rather those specifications be accomplished by a team of inspectors, at least one of whom is a member of your Association.

Notice this: there is no requirement in the standards of the AALS or the standards of the ABS requiring a member of a law faculty to possess any particular qualifications whatsoever. It is not necessary that he hold any degree insofar as the AALS and the ABS are concerned. It isn't necessary that he be a member of a Bar.

Walton Hamilton, under whom I had the privilege of studying a great many years ago at Yale, held a Ph.D. in Economics, he was a member of no Bar; he had no law degree, and in my opinion he was a very effective and challenging law teacher. I have a member on my faculty today who conducts two seminars. He has no law degree and does an invaluable job with us. I could list a good many others, for one example, those with no law degrees, but who are members of a Bar.

I mention all of this only to suggest that, wisely, I think, the AALS and the ABS have been concerned with the qualifications of the individual to do the job which has been assigned to him, and not with formal educational training or licensing procedures, when determining whether or not a particular school is qualified—at least on the front of an effective faculty maintaining sound educational standards.

Perhaps I am slipping into a *non sequitur*. It is pretty easy for one to do this when one's interests lie basically in a particular vocation, but it seems

to me that there is no more reason for requiring certification of law librarians than there is for requiring that a member of a law faculty be, let us say, admitted to the bar or otherwise certified. Let these matters be resolved on the individual merit of the individual concerned.

No doubt what I have said has been very unpopular; it may be a sort of Lincolnesque approach. I have simply tried to raise questions.

Let me conclude these rambling informal comments with this suggestion. We are all interested in a common form; we are all interested in well-trained librarians; we are all interested in advancing the professional status of librarians; we are all interested in providing an incentive on the part of those who have become librarians to improve their training in order that they may more effectively discharge their responsibility. The only question is, how do we achieve that goal? It has been suggested that it can best be attained through certification. I doubt it. I really doubt it very much. I think it is achieved through the growing realization by law school and university administrators that the law library in a school is the very heart and essence of the school. It bears the same relationship to the training as the laboratory does to the sciences.

It is heartening to see universities recognizing more and more the important job the law librarian discharges in the total picture of the university and translating that recognition into the most tangible form possible, in improved salaries. This goal, as I mentioned at the outset, is one which is certainly dear to me, and I don't suppose is a matter to which you are completely indifferent.

Finally, I have detected a certain selfconsciousness here—I am going to talk very frankly now—about the professional status of law librarians. Of course you are a profession, a learned profession, an important and dignified profession. It seems to me, and I hope I am completely mistaken about this, that I have detected in some of the discussions a certain defensive attitude, a certain feeling that, "By golly, in order to be a profession we have got to establish minimum criteria which others must observe in terms of formal training or on-the-job training, or something of that nature."

You are a profession because of the nature of responsibilities you discharge and the better you discharge those responsibilities, the better you serve your profession. But don't labor under any delusion that you are not recognized as a profession because I assure you, you are, by the lawyers, at least, in this country, and I believe by the citizenry, also.

CHAIRMAN FARMER: Thank you, Dean Ritchie.

Before opening the floor to questions generally, I would like to call upon Miles Price to give his comments.

DR. PRICE: I am going to venture to disagree somewhat with some of Dean Ritchie's remarks. I am not going to qualify myself as an expert, but I do know something about this subject.

Back in 1923–24 I was chairman of a committee which succeeded in getting the Federal Personnel Bureau to reverse itself and classify librarians as

professional and sub-professional employees rather than clerical help. For about seven years I was advisor to the Personnel Classification Board and the Bureau of Efficiency. I wrote the first job specifications for professional and sub-professional government librarians. We succeeded in raising the salary of federal librarians by 30 percent over the original allocation. In this Association I have done a certain amount of placement work over the past twenty years during which time I have talked for hundreds of hours with deans. Throughout all of this I have learned a few things which are pertinent to our discussion.

All I have discovered about certification leads me to believe that it works only where you have a captive audience—where you have something like civil service. Now, very few members of this group are under civil service. For this reason, as much as I approve of certification, I think that first we will have to establish qualifications for membership, establish discipline and prestige, before we can successfully plan a certification program. This Association has got to knuckle down and develop different grades for membership. SLA has done it.

Establishing grades of membership or qualifications always brings emotional response. In spite of the fact that those in the profession are covered and will not be affected. They inevitably think they are being called second-class citizens, which isn't true.

Dean Ritchie talked about the possibility of hard and fast rules excluding good prospects. No one is going to exclude anybody on that basis. But there are bar examinations. You do not find many members on law faculties without law degrees. A law degree is one of the first requirements sought. If a fellow hasn't earned one, he is on the defensive. He must show why he lacks a degree and must possess extra qualifications to make up for it. Also, in relation to educational requirements, nobody is going to say that a librarian of a small university law library must have all of the qualifications and education required at Harvard, but three degrees naturally put one at the top.

It has been asked, who is going to do the grading? What questions will be asked, etc? That is an administrative problem. There should be no trouble here. It can be determined whether an applicant is a graduate of a law school, a college or a library school. These are valuable criteria. Colleges have standings, law schools are evaluated, library schools are certified by the ALA, so it takes care of itself.

Dean Ritchie suggests that the principal way of choosing a law librarian should be by examination. I couldn't disagree more. An examination has some value after you have taken all of the subjects involved, but you can cram for an examination.

I will repeat what I have said. I am in favor of certification if it can be enforced—not as a hard and fast rule, but as a standard to guide employers. "This person is certified to this particular grade, therefore, he must have attained certain minimum qualifications." But I think it would be more feasible for our Association to establish our own standards because we are not a homogeneous group. Most of us

are not under civil service. We have no means of enforcing certification except by moral persuasion.

CHAIRMAN FARMER: Dean Ritchie, would you care to say anything at this time?

DEAN RITCHIE: I certainly didn't mean to suggest that librarians be selected by examination. I said that if certification is to be a requirement for a job, then eligibility for certification should be determined by examination. I stick to that, because if certification is on the basis of a degree, the degree stands for the certification as to training. When I was talking about the AALS or the ABA applying its sanction to a certification requirement, I was opposed to that. I still oppose it.

DR. PRICE: So do I.

DEAN RITCHIE: Then we agree on that.

I would welcome the AALL inaugurating a certification program for study. Let it sell itself in the market place. If you adopt a certification scheme, and the basis on which you make your certification gains the confidence of those who are responsible for employing librarians and library staff members, it will become a successful program.

CHAIRMAN FARMER: Mr. Pollack.

PRESIDENT ERVIN H. POLLACK: I think we are in complete accord here. I do not disagree with anything that Miles Price has said. Everything Dean Ritchie has suggested can be achieved under an intelligent program. Perhaps our problem is one of semantics. I think when we talk about certification we are talking about education, we are talking about training. That is our concern.

What we are attempting to do is to give the law library group the highest type of training. How this is to be achieved is a matter of implementation. I think it can be worked out, and we can develop an education program with a hard core course of introduction, with examinations, which will accomplish our purpose.

CHAIRMAN FARMER: Dr. Price.

DR. PRICE: What I have in mind is a process which will place top librarians in positions where they can give better service to employers than has been rendered previously, to serve as examples of what law librarianship can accomplish. In order to select these people we must know that they have received a certain amount of education in addition to experience. Therefore, perhaps an education requirement is a touchstone we ought to strive for as a minimum to add to experience and personality.

My experience is that deans of law schools are beginning to expect these minimum requirements.

MR. ERNEST H. BREUER: Dean Ritchie, we are all aware of many instances where people with little or inadequate training have successfully carried out assignments and filled jobs. You may remember the recent example of a man who posed as a doctor and surgeon. He had absolutely no medical education, but he performed magnificent operations and surgery. Doctors tried to say he was qualified, that he could have been a member of their profession. Would you like to have anyone like that operate on you?

CHAIRMAN FARMER: Mr. Poldervaat.

MR. ARIE POLDERVAAT: I direct this query to Mr. Fleming. How does the

Medical Society's certification scheme harmonize with the general state certification programs which are already in existence?

MR. FLEMING: I am not sure that I understand your question.

MR. POLDERVAAT: I will refer to a specific example in my state. A New Mexican state law requires the certification of all librarians who are paid from public funds. The statute makes it necessary for state agencies to hire only certified librarians. The problem is this. New Mexico already has certain requirements applying to librarians. These requirements may not be written into private certification schemes because the state law is enacted with public libraries in view. How can we expect new talent to expend the time and effort necessary to meet these conflicting demands? How can we harmonize existing requirements for certification of librarianship with additional demands of specific branches of the profession?

MR. FLEMING: The medical Association has set up standards of education for library schools to meet. If a library school does not honor our programs, we do not recognize that particular school in our Grade I training.

MR. SASS: I will make one point. Dean Ritchie commented upon the problems involved in setting up qualifications for the head librarian, the reference librarian, the assistant librarian, etc. In a law office there are different requirements for junior partners and the rest of the personnel. Why this problem?

DEAN RITCHIE: May I say two things, briefly?

CHAIRMAN FARMER: Dean Ritchie.

DEAN RITCHIE: I am not opposed to degrees. All I am saying is that I don't think they ought to be requirements to serve as law librarians. Obviously there is a close correlation between the training those who hold degrees receive and their qualifications to hold a job.

Secondly, let me make this clear. Unlike the medical profession, the law profession has no standard examinations for specialists. It is true that minimum licensing requirements for practicing law have been established. I think it is highly desirable that a member of a law faculty have a license, but I think it unwise to make it a strict requirement. Let's be flexible. I believe there is a danger in making things rigid and inflexible.

CHAIRMAN FARMER: I would like to conclude this session by thanking each member of the panel.

(Whereupon, at 12:30 o'clock, the Wednesday Morning Session was adjourned.)

WEDNESDAY LUNCHEON SESSION

June 24

The Wednesday Luncheon Session was held at the Starlight Roof, The Waldorf-Astoria Hotel. Seated at the head table were: Mr. K. Howard Drake; Dean Jerome Prince, Brooklyn Law School; Professor Sheldon D. Elliott, Director, Institute of Judicial Administration; Dean Miriam Theresa Rooney, Seton Hall University Law School; Associate Dean Ralph F. Bischoff, New York University School of Law; Mr. George A. Johnston; Dr.

William R. Roalfe; Dr. Miles O. Price; Professor Thomas Snee, Fordham University School of Law; and Dean John Ritchie, Northwestern University Law School.

President Pollack introduced the speaker, Mr. Richard S. Wormser, President of the International League of Antiquarian Booksellers, who addressed the group on "Title Search."

WEDNESDAY AFTERNOON SESSION

June 24

The Wednesday Afternoon Session consisted of two activities, held concurrently. A panel discussion, "Cooperation Among Law Libraries," convened at 3:00 o'clock, Professor Lewis W. Morse, Librarian of the Cornell Law Library, presiding. The participants were: Professor Erwin C. Surrency, Librarian, Temple University School of Law Library and Mr. Ernest H. Breuer, New York State Law Librarian.

An organization meeting of the International Association of Law Libraries was held at the same hour, Mr. William R. Roalfe, Librarian of the Northwestern University Law Library, presiding.

Cooperation Among Law Libraries—A Panel

Chairman Morse: Ladies and gentlemen, we are going to cover a broad field this afternoon. We have some subjects which will divert us, and I hope we will go away with some new and better ideas. We know that we have a long way to travel in this area of cooperation.

To begin with, we shall hear from two panelists who will outline the problems. Then, I trust we can generate enough discussion among our group to make definite progress.

Our first speaker will be Professor Surrency of the Temple University School of Law, who is going to talk on this subject of cooperation from the point of view of law school libraries.

It gives me great pleasure to introduce Professor Surrency.

Professor Erwin C. Surrency: Libriarians are all for cooperation, but they are in disagreement as to what it is or how to encourage it. We like to play the numbers racket—to watch the increase in the number of volumes in our holdings. This is done in the name of "completeness" and "research," but there is a limit to how complete a library can be, both in space and in its collection.

The law school library is a center of this problem of growth and the related problem of space, because most of the "research" in law, as distinguished from practice, is done in law schools. Other types of research libraries are aware of these questions. General university research libraries are becoming concerned with space requirements. A recent conference was held on this theme, attempting to reach a solution. General librarians have always been aware of factors limiting the size of collections, and have sought means to improve library service as well as meeting the rising cost of books by various means of cooperation.

One method has been the creation of the depository library. Another

process has been the central catalog for locating items which are then made available through still another means of cooperation, interlibrary loans. Through these three avenues of cooperation, librarians have made available to scholars a great many books which would not be obtainable otherwise.

As I stated before, librarians cannot go on building large collections and justifying the cost of housing them to the university administrators in the name of research. We must begin to seek means of limiting the size of our book stock and, at the same time, improve our service to scholars. I would like to suggest that we cannot solve our problem by exterminating the publishers.

The purpose of this discussion is to consider ways and means of cooperation in maintaining adequate legal libraries. The first area of disagreement would be what constitutes an adequate legal collection. A great deal of thought by many individuals has gone into this matter. Certainly, the standards of the Association of American Law Schools provide a beginning.

If a library has this recommended material, anyone who is seriously interested in legal research could do a great deal of work. Very often, it is not the collection of the library which prevents research, but it is the lack of personnel or people to show an interest. To use a favorite expression of mine, "You can lead an ox to water, but you cannot make him drink." Thus, to get people to use the collection is more the problem.

I wish to discuss three ways that law school libraries can improve the library service and establish some limitations on the size of their library collection without limiting its usefulness as a research center.

The first method I would like to present is the establishment of deposits of certain types of legal materials which would be available on interlibrary loan. Before continuing, I want to make it clear that I am aware of the fact that all law libraries must have certain basic items in their collections.

I suggest that there are ways and means of establishing depository libraries in the law field without the necessity of making great expenditures or seeking funds from foundations. One library could take on the responsibility of housing and preserving certain types of records for its jurisdiction, which would be available on interlibrary loans.

For example, Temple University could assume the responsibility of housing briefs and records of the Pennsylvania Supreme and Superior Courts. Anyone who wishes to use these briefs and records could borrow them, either on interlibrary loan, or use them in the new Charles Klein Law Library. Under such a plan, no other library would need to maintain a collection of this material for national use.

Another library could house a different group of materials for similar treatment. Should a library receive as a gift any materials that a sister library has obligated itself to keep, I should think this gift would be passed on to the depository library under normal conditions. I, for one, do not believe in having a spotty collection

of anything. If you take on the obligation of having a set of Delaware laws, you should certainly have a complete set.

What legal materials could be included in such a program? I would think the following could be made available by this method:

1. English Empire materials, other than reports of Canada,
2. Foreign law materials,
3. Briefs and records of appellate courts,
4. Old compilations for the states,
5. Old digests and texts for all the states,
6. Old rules of the courts.

Another means of cooperation among law libraries would be through joint support of microfilm projects. It has long been considered that the microfilming or other microreproduction is the answer to the librarian's space problems.

I would like to suggest, however, that it has its limitations. The first restriction is the cost of processing. Microfilming cannot become a practical proposition until at least five institutions are willing to underwrite the cost. A second limitation or difficulty concerning microfilm is to get librarians to agree on what items should be on film; what one library wants, another has.

Certainly, a great many of us feel that microfilms are impractical. Some of us delude ourselves with the argument that lawyers will not use them. When the volumes are not available in other forms, the lawyer will depend upon them. The modern readers, which make prints of the film for a few cents, will help to overcome these objections.

There are materials which can and should be placed on film, and libraries would be better off without the actual volumes. One area that I am particularly interested in is the session laws for the Nineteenth Century, as a continuation of the Library of Congress project. In our Library, we have put the Delaware laws on film and will so treat other states in the future.

If anyone is interested in a particular state, please let me know. I hope that, before too long, we will have on film all of the session laws of the Nineteenth Century, the legal periodicals for the same period and a great many Pennsylvania side reports. Through the cooperation of Arthur Charpentier, Miles Price and Julius Marke, I hope to be able to produce more in the medium when the monies are available.

I would like to say a bit more about the microfilming project I have undertaken at Temple University. I work it on this basis: three years ago I indexed the Opinions of the Attorney General of Pennsylvania and wished to duplicate them. I received a generous gift of $1,500, of which the University kept $750. They allowed me the remaining $750 to spend as I wished. It was put into my microfilming fund for use on this specific project.

I had the photographing done and ordered five copies of the film. Our library budget was charged with one-fifth of the price of the project. Four of the copies were made available to interested purchasers. I hope we will be successful in continuing this form of cooperation.

The last area of cooperation I will mention concerns bibliographical studies. Every law librarian should be an expert in the legal materials of the particular jurisdiction in which he is working, but there is a surprising lack of bibliographical information on local texts, editions of reports, etc. The local books should be examined closely to determine which volumes duplicate one another and to what extent. One source should be responsible for this and for keeping it up to date. Thus, anyone who needs help in a particular jurisdiction could call upon an expert for a solution to his problem. Such local bibliographical studies could well be published in our own *Journal,* and we would be enriched by them.

Time does not permit further exploration of areas in which law school libraries could cooperate. However, we can certainly improve our services by adopting the methods I have suggested and making our results available through interlibrary loan.

In closing, I might add that my requests for loans of library books have been turned down quite often. I think we all could be more generous in this area. I think the time has long passed for us to be concerned too greatly with the "numbers racket." We must seek new ways to make our collections more accessible to one another.

CHAIRMAN MORSE: Could we have a question and answer period before Mr. Surrency has to leave?

MISS DORIS R. FENNEBERG: Why do you advocate microfilming instead of microcarding?

PROFESSOR SURRENCY: Microcarding is more expensive. Microcards cost about three times as much as films which cover the same material.

MR. PHILIP A. PUTNAM: You said that microcards cost more, but don't they usually last longer? Microfilms have to be replaced in about twenty years.

PROFESSOR SURRENCY: Well, that may be true. I don't know all of the answers as yet. In my particular situation I have to underwrite the whole program and that's a big limiting factor.

CHAIRMAN MORSE: Speaking about reproducing the opinions of the Attorney's General, most law schools have rushed in and collected these decisions for the various states. They are seldom used. They sit on the shelves taking up valuable space. Why shouldn't we take inventory of our assets, as Mr. Surrency suggests, and either store them or contribute them to a center? We have been going along in the traditional view imbued with the idea of collecting everything we could. I am beginning to wonder if we shouldn't curb this collection mania.

(At this point the discussion led into specific instances and opinions on the subject at hand. Those participating agreed that keeping a collection current is a problem which has not received enough attention from librarians.

Chairman Morse introduced Mr. Ernest H. Breuer, Librarian New York State Law Library, who proceeded to cover the subject of cooperation among law libraries from the point of view of state law and Bar libraries.)

MR. BREUER: One of the best things about a convention is that it is a prac-

tical demonstration of cooperation in action. I don't mean cooperation in the sense that one man complained of: that every time he had been asked to cooperate he was expected to coo while the other fellow operated. The concept of cooperation among law libraries is not new. The founding fathers of the American Association of Law Libraries had this ideal in mind. In fact, Article II of our Constitution states as one of the objectives of the Association: "To cultivate the science of law librarianship and to foster a spirit of cooperation among the members of the profession."

To paraphrase and to point up this important objective of the AALL, I might say that coming together is a beginning; keeping together is progress; working together is success. As a member of this panel I have been assigned that phase of the topic which considers cooperation by Bar, state and similar law libraries, and also we shall explore to what extent, if at all, the factors already discussed by my fellow panelist apply to Bar and state law libraries.

This is an era which is popularly referred to as the atomic age. It is ironic that, although man has yet to resolve some of his most immediate problems here on earth, he is trying to escape his responsibility by rocketing them to outer space. In the law library profession the problem of budget, space (and I am now referring to physical inner shelf space and not outer space) and staff limitations make it imperative that we, as members of a profession having common problems, resolve to aid each other by making our limited, or in cases of a fortunate few, unlimited resources, available to each other.

The flood of reported cases coming from state and federal courts; the increasing mass of administrative rules, regulations and decisions, federal, state and local; the kaleidoscopic developments in the field of taxation, federal, state and local; the new legal problems presented by nuclear fission and fusion; the modern developments of international relations and international law; the greater demand and interchange of legal ideas and material between our country and the other countries of the world; the new specialties constantly emerging which increasingly affect the practice of law—all emphasize the fact that even the best qualified law librarian is no longer able to cope with all the legal problems confronting him in this electronic age and in a world shrinking due to technological improvements in mass communication.

This situation now demands that we recognize a highly developed era of specialization even in law library administration. We are becoming more and more dependent on each other for the benefit of each others' specialties. Only by a carefully developed cooperative effort can we keep abreast of our expanding duties and responsibilities to our respective patrons. Keeping up with the advance sheets and reading articles in the law and library journals are no longer enough.

It may well be prudent for the AALL to consider establishing a program similar to the ALI-ABA Continuing Legal Education plan with the addition, "for law librarians." In some respects this has been done by a

few of the recent Institutes which are held prior to our annual conventions. But we must also consider the advisability and necessity for a more elaborate program. In essence, this is all part of a cooperative effort to improve and maintain the high standards of law library administration. Much of this could be carried out at local levels by our chapters with the AALL providing the impetus and program planning. This must be a continuing objective of our Association if we are to justify the stated objective which I quoted from our Constitution.

It is a challenge to each and every one of us who is genuinely interested in sharing any special skill or resource he possesses with the others in the group. For example, Julius Marke's *Annotated Catalog* has become a ready reference tool in many law libraries. I personally find it very useful for subject approach, trials, impeachments, etc., and the annotations assist me in suggesting which of several books on a given topic would best serve the particular needs of a patron. Price and Bitner's *Effective Legal Research;* Francis Waters' recent *Cumulative Index to the Law Library Journal;* my own contributions, *Legislative Intent and Statutory Interpretation in New York State* and *Constitutional Developments in New York 1777–1958;* the recently started series, Legal Research in Pennsylvania, New Mexico, Florida, Illinois and others yet to come—all being written by our members; contributions by law librarians of articles to the *Law Library Journal* and the *Index to Legal Periodicals,* are all excellent examples of how we help to share our specialized knowledge with our colleagues in the profession. I feel confident, therefore, that with effective leadership at the national and chapter levels, we will meet the challenge of greater cooperation in purchasing, cataloging, exchanging, bibliographic cooperation, microreproduction and photocopying and, ultimately, by large depository centers to solve the ever present space problem.

A specific example of how a state library can effectively develop cooperation is the existance of the Association of Law Libraries of Upstate New York, a chapter of the AALL. This group was organized as a result of a round table discussion held in Albany only five short years ago to explore how the State Law Library could serve the needs of all the other public and private law libraries in New York more effectively. The meeting was a success, and we were urged to organize as a permanent group, which we did. As a result, the facilities and services of the State Library as a whole became better known to law libraries throughout New York, and the State Law Librarian was motivated to prepare and distribute copies of bibliographies, checklists and other useful information to members. At the annual chapter meetings representatives of the various sections of the State Library, including the Gift and Exchange Section, have described the resources and services available to all law libraries throughout the state. As a member of both the Upstate and New York City Chapters, I act a liaison to keep each chapter posted on the activities of the other. Last year we held a very successful joint meeting of the two Chapters in Albany. We were privileged to

have Ervin Pollack, President of AALL present at the meeting, and I am sure he was impressed by one example of "cooperation in action." I am certain that, to some extent, all our other chapters are similarly carrying out the stated policy of AALL in developing the cooperative spirit in their respective regions.

The Chicago Plan has been well publicized so I need not dwell at length on its accomplishments. I am sure the Bar and university law libraries in the Chicago area have effectively developed the cooperative spirit. Under their plan for cooperative acquisition they have eliminated needless duplication in cost in the purchase of legal material and have partially solved their space problem.

I suggest to you that the organization of the several law libraries by regions or sections can lay the ground work for efficient cooperative action on the part of a state law library. This principle is equally applicable in those states where the Supreme Court library or a bar association library is the largest in the group.

Any professional law librarian, state or other, who considers himself independent and aloof is not only doing a disservice to his own library but is also missing the pleasures which only close cooperation with colleagues can bring. Cooperation helps to increase the efficiency of his own library service, renders service to other law libraries and benefits his profession as a whole.

A public law library, especially a large state law library, supported by public funds has the obligation and duty to serve not only its patrons but to extend its facilities by full cooperation with other law libraries. This effort should not stop at the borders of its own state but should extend to all areas where its cooperation will aid in the better administration of justice and more efficient law library service.

I am not going to discuss the problems of law schools because most of their troubles involving cooperation are common to all of us. I shall devote the time alloted to me to the problems of cooperative purchasing, cooperative cataloging, exchanges, bibliographical cooperation, microreproduction and photocopying, and depository centers.

I. Cooperative Purchasing

By cooperative purchasing I do not mean buying in quantity at a discount for distribution to participating libraries. Cooperative buying of materials is exemplified by the Chicago Plan—each library undertakes to gain and maintain a special collection, with access to the material by all members of the group. However, with a state law library this goes further, or at least it should. The New York State Law Library buys everything in law published in the English language.

This Law Library has a liberal circulation and interlibrary loan policy which would be the ideal policy for all state law libraries. Interlibrary loan is the most common form of cooperation. However, very few court law libraries take advantage of the complete holdings of their State Law Library to avoid unnecessary duplication. This may be partially justified on the ground that they serve particular groups (the courts and the local Bar) and they must have a basic collection of their own instead of borrowing

from the State Law Library. Probably the most difficult area in the whole field of law library cooperation, is cooperation in the development of the collections of two or more law libraries. The constantly increasing mass of materials must be acquired, processed and preserved with all the attendant increase in cost and additional space. Some of this may be caused by institutional rivalry or inherent difficulties involved in dividing responsibilities between participating libraries. A perfect example is the many law libraries in our larger cities and metropolitan areas where holdings often duplicate one another. Chicago is a notable exception to some extent. Nevertheless, a state law library frequently helps other libraries with material they lack and with special services. Some materials supplied are: the United States Supreme Court and State Court Records on Appeal; rare items; early editions of treatises; trials; periodicals; texts; bar association proceedings; foreign statutes and reports; legislative background material; federal, state and local documents; judicial history, etc.

Many court libraries are staffed by persons who have no awareness of, or interest in, law library service as a profession. Roalfe, in his *The Libraries of the Legal Profession,* page 355, cites an example of an obviously intelligent and, in all probability, competent employee of a large court library who said "In this library we never think of ourselves as librarians, we think of ourselves as members of the staff of the court. Therefore, we have no interest in law library organizations or in cooperating with other libraries." Nothing is more conducive to full cooperation than personal contacts. Annual meetings of the AALL and local and regional law library associations all tend to promote general cooperation because of personal contacts with colleagues.

At one of the meetings of the Law Library Association of Greater New York last year we held a panel discussion on the Midwest Inter-Library Center and the informal agreement among the four large law libraries in Chicago whereby needless duplication in certain fields of law is avoided by cooperative purchasing and interlibrary loan. At a subsequent meeting called by Dr. Price, Dr. Roalfe was present and explained how the Chicago Plan operates. Our purpose was to explore the possibility of similar cooperation in the Metropolitan New York area. This was a preliminary meeting to be followed by other meetings at which we hope to work out a program in New York to divide book appropriations—not cooperative buying—but rather allocation and selection in definite categories. A logical result of this movement would be a union catalog of the holdings of law libraries in the Metropolitan area. Later, microfilming, photocopying and cooperative cataloging could be developed. As Dr. Roalfe pointed out, every library must determine how far it can go under a cooperative plan, but the important thing is to make a start—to come to some area of agreement in the purchase of current material in a given topic of law. At later meetings we also want to explore the possibility of the New York State Law Library assuming a leading role, es-

pecially as a counterpart of the Midwest Inter-Library Center. The first step should be for all participating libraries to present a concrete plan to their respective administrative heads in order to show what their obligations are, what their objectives are and what benefits would result to each library in the group.

From the point of view of the state law library the following problems as they apply in New York have to be resolved:

What effect would the proposed court reorganization plan have on this cooperative movement?

How would technological improvement in electronics, microfilm and microreproduction, etc., effect the plan?

What is the role of the public court law library in such a plan? We all agreed on one point. Every library has a primary obligation to take care of its own patrons, students, graduate students, alumni, etc., which must be considered before it can participate in any cooperative movement.

II. Cooperative Cataloging

Cooperative cataloging is not new. As long ago as 1850, Charles C. Jewett, the Librarian of the Smithsonian Institution, demonstrated a plan by which individual libraries might make use of the cataloging information and apparatus with the help of others. His plan was based on the storage and re-use of stereotype plates. His idea was a good one, although he probably did not realize how difficult it might be to persuade one cataloger to accept the work of another. He did not get far enough with his scheme to discover whether or not it could survive the difficulties that plague cooperative projects generally. He ran head-on into mechanical troubles, the warping of the stereotype plates on which the record was to be kept. It was not until about 1901 that the library of Congress started to supply unit cards to libraries generally.

Cooperative cataloging for law libraries can be established on a national, state-wide, regional or local basis. It would free many small libraries from much of the detail involved in the process, and for other law libraries which cannot afford a law cataloger and the tools required for adequate cataloging, it would provide an adequate index to their law collections. Basic to the problem, however, is the formulation and adoption of a uniform classification system, cataloging rules and subject headings for a law collection. Library of Congress cards, from the point of view of subject headings, are not totally adequate for a specialized law collection. Those libraries which buy LC cards for their law collections use them mainly for descriptive cataloging and assign their own subject headings. That is the procedure we follow in the State Library.

Even the Law Library of Congress depends to a large extent on cooperative cataloging. All the official state documents in New York are cataloged by the State Library which sends to the Library of Congress a form copy of the main entry, classification, subject headings and references for variations or change of name or title of the agency or department which issues these documents. Any question raised

by the Library of Congress is resolved by correspondence before LC prints and distributes the cards. In exchange for this service the Library of Congress furnishes the State Library with a complete set of cards for each document. I am informed by our Catalog Section that the depository libraries in the state of New York have been trying unsuccessfully to get the State Library to furnish them with sets of cards for each item received on deposit. Up to the present time, lack of funds has made this impossible.

Bibliography begins with the book, and the physical book begins with the publisher. If the efforts of the publisher and librarian could be coordinated toward the simultaneous solution of the problems of bibliographic and physical access, it would be a distinct contribution to library cooperation.

In the Second Annual Report of the Council on Library Resources, Inc., there is a discussion of "Cataloging in Source," which is described as the inclusion of cataloging information regarding a particular book in the book itself at the time of printing. The report contains a complete Library of Congress card printed on the inside cover. Cataloging in source would be of value not only to the librarian but also to an author who, about to cite a work, is often puzzled how to describe a book with a perplexing title-page. It would provide him with the description under which the book can be found in libraries by those who wish to pursue his references and would similarly provide identical and standardized entries for all vehicles of bibliographic information—for publishers' and booksellers' catalogs, trade lists and bibliographies. One of the difficulties mentioned for this procedure is the delay it would occasion for the publisher.

"Telereference" is another device being studied by the Council on Library Resources. It is a system for consulting card catalogs by television. If feasible, it might make possible the elimination, and thus the cost, of departmental and branch library catalogs in university, public libraries and other systems. For example, it might make all catalogs in an area such as New York City interconsultable. Another possibility is that it would allow all the libraries of an area to pool their cataloging efforts into a single regional catalog. The Report of the Council also describes cooperative effort in centralized processing of books, including cataloging and preparation for the shelves.

Time does not permit a full discussion of the merits and problems of these devices. All I can do in the period allotted to me is to bring to your attention some of the possibilities for cooperative cataloging among law libraries. The panel feels that it is worthy of further study and the topic should be assigned to those of our members who are specialists in the field of technical processes, classification and descriptive cataloging.

III. Exchanges

The duplicate exchange program is probably one of the best examples of true cooperation among law libraries. The AALL exchange program is presently functioning and too well known by all of us to need amplification. It

serves a useful purpose in enabling some law libraries to acquire material free, or at a nominal cost, and to help other law libraries to fill in gaps in their existing collections. The United States Book Exchange is another program worthy of note. In addition, some of our larger university law libraries circulate their own duplicate list from which we may select items free, or for a nominal sum—often for the cost of postage.

The law libraries supported by each of the several states are probably the best sources for material on exchange from which effective cooperation might well be expected, although this is by no means always the case. These libraries generally vary as to the extent of their resources, and some of them have only small working collections. There is no doubt, however, that a state law library forms a ready focal point through which a more effective program of cooperation can be developed.

In 1948, the Legislative Reference Section of the New York State Library made a digest of the laws of the several states relating to the exchange of official publications. All the states have some provision for distribution and exchange of their official publications. A typical statute reads: "The Department of Library and Archives . . . director shall have power and it shall be his duty . . . to establish with the federal government, the other states and foreign countries, a system of exchange of official state reports and publications, laws, statutes, legislative journal and Supreme Court reports. . . . He shall make requisition . . . for such number of official publications as he may need for purpose of said exchange."

Most of you are probably familiar with the gift and exchange program of the New York State Library. I know of no similar program in a state or other law library which is as liberal and generous in sharing as this special service of our State Library. For the benefit of some of you who may not already be familiar with it, I should like to give you a brief description of its activities.

The New York State Law Library can acquire officially published statutes, session laws, court reports, attorney's general opinions and other state publications by exchanging similar material with other state libraries. Law reviews may be acquired from law schools by similar exchange arrangements. (Often, a state law library may give more than it receives, but this should not be a deterring factor.)

Under a recent amendment to the New York State printing law, the State Library receives two hundred copies of all documents issued by the various departments, bureaus, agencies and legislative committees and commissions of the State. The Gift and Exchange Section of the State Library makes this material available, either gratis or on exchange, to libraries throughout the country and to many foreign libraries. Our duplicate collection of legal and non-legal material is similarly made available to fill in gaps for other law libraries.

The following illustrates some of the legal material available on gift and exchange:

Attorney's General reports
Senate and Assembly journals

Collected documents set
Legislative manuals
Session and local laws
New York reports
Law Revision Commission reports (limited)
Public papers of the Governors
State Department reports
Judicial Council reports
Judicial Conference reports
State Labor Relations Board reports
Informal opinions of the Attorney's General
Opinions of the Comptrollers

For those interested in this material, checklists are available from the Gift and Exchange Section of the State Library. The Section issues a monthly checklist of selected official publications which is cumulated annually and on a five year basis. All of these are obtainable free from the Section.

The Division maintains a duplicate collection of some federal documents and all state and local documents for New York. It makes all of this material available to libraries throughout the country, either gratis or in exchange for similar publications from other states. I might add this, in the field of documents the exchange program is supplemented by our photocopying service if the material does not reach book proportions. What I have said about our own exchange program illustrates an ideal plan for all state law libraries.

A state law library should also publicize its willingness to accept and store all unwanted or duplicate material from other law libraries or lawyers, thereby increasing its own potential to fill in the holdings of sister law libraries.

Cooperation should be a basic policy of all state law libraries. A monthly bulletin, published and distributed by a state law library would be an ideal medium through which much of the foregoing could be implemented. It would build good-will and develop the true spirit of cooperation. It is solely a matter of initiative and to participate in a joint "share the wealth" program.

IV. Bibliographical Cooperation

Bibliographical cooperation already exists through some of the publications sponsored by the AALL. The *Law Library Journal* contains a wealth of material on this subject which has been contributed by Association members. Its section devoted to "Current Legal Publications," beginning with the May, 1953 issue; its "Checklist of State, Federal and Canadian Publications;" and Francis Waters' *Cumulative Index to the Law Library Journal* are only a few examples of the Association's contribution to bibliographic cooperation. The publications of our individual members, which are too numerous to mention, are further examples of cooperative aids in the field.

Several valuable checklists exist in areas which, if brought up to date, would add to the stockpile of bibliographies; e.g., American state session laws, statutory compilations, legislative journals, attorney's general reports and opinions, judicial council reports, bar association proceedings, legal periodicals, etc. Complete legal bibliographies for each of the states of the Union would be most useful. I realize that this would be a tremendous undertaking and would require the cooperative effort of law librarians throughout the country. Myron Jacob-

stein's and Meira Pimsleur's *Law Books in Print* serves a useful purpose, and if expanded and kept current, its value would be enhanced as a reference tool. There is also a crying need for a comprehensive bibliography on American law, past and present. It would be a major achievement if the AALL could interest a foundation to finance it. This too would of necessity be a cooperative project since federal and state law libraries should help in the research.

Roy Mersky and Myron Jacobstein, on October 1, 1958, started an index called *Periodical Articles Related to Law Selected from Journals not Included in the Index to Legal Periodicals* which has been well received. It is another fine example of the cooperative spirit in action.

The state law libraries with their large collections and facilities for reproduction are ideal sources for comprehensive bibliographies. My recent bibliography on Constitutional material in the state of New York would become more valuable if other states would publish similar checklists.

I am sure that in the field of bibliography there is a great deal of duplication of cost and effort. If the AALL ever achieves the luxury of an executive director with an established office, the creation of a central clearing house for the control of bibliographical and legal research projects could coordinate all individual efforts and would prevent needless and costly duplication.

V. Microreproduction and Photocopying

There is too much literature in general on this subject so I will not expand on it, except to say that state law libraries and bar association libraries usually have photostatic and photocopying services or similar facilities for making copy from material which normally does not circulate.

The New York State Library has established a special unit for microfilming and, in addition, has equipment for immediate photocopying. Up to the present time, it has microfilmed all the bills introduced in the Legislature since 1830 and is presently microfilming the Governor's Bill Jackets. I understand that positive copies will be sold to large law libraries, and a copy will either be sold to or placed in the New York Public Library, thereby making it available to all law libraries in the Metropolitan New York area. We are hoping this unit will become a permanent program. The possibilities are unlimited. One third of my shelf space is taken up by records on appeal. This is a fertile field for microreproduction. Another possibility is the microfilming of long runs of legal periodicals and journals. Of course, some of this is being done by private enterprise. The Lawyers Co-operative Publishing Company has just announced that its Microlex Division is considering reproducing about ninety of the leading law reviews on Microlex. However, the possibility for state and bar association and other law libraries to utilize microreproduction is unlimited. I have recently received an announcement from Erwin Surrency's Temple University School of Law Library that the early nominative reports of the District of Columbia which have long been out of print

and difficult to obtain have been put on microfilm as a service to all law libraries to help them complete their collection of the District of Columbia reports at cost.

One of the finest examples of cooperative effort in the field of bibliography on microfilm is the one produced by the Library of Congress in association with the University of North Carolina. It is called "A Guide to the Microfilm Collection of Early State Records" collected and compiled under the direction of William Sumner Jenkins. This guide covers the title and location of legislative records, statutory law, constitutional records, administrative records, executive records and court records. A supplement covers local records, American Indian Nations, newspapers, etc. The inclusive dates for each state vary.

Public libraries have also started "cooperative pools" of microfilms. The North Country Film Corporation under the sponsorship of the Maine and New Hampshire State Libraries and the Vermont Free Library Commission is one program already established. Others are in the making.

Photocopying is one of the simplest and cheapest forms of cooperation. A state or Bar law library having Xerography, Multilith or other similar equipment can reproduce multiple catalog cards for its own use and can make duplicate sets available to other law libraries in the state as a cooperative venture. Photocopying also enables a law library to supply copies from material which usually does not circulate. In this connection I should point out that certain legal problems arise which may involve possible violations of copyright laws in microfilming and photocopying. Miles O. Price discusses these problems in detail in the April, 1958 issue of *Library Trends,* in a symposium on "Legal Aspects of Library Administration." Incidentally, this issue was made possible by the cooperative effort of eight members of this Association.

VI. Depository Centers

This topic formed the basis of a panel discussion at a recent meeting of the Law Library Association of Greater New York. The problem is how large a role can a state library, the Bar library or a large university law library play? Here again budget rears its ugly head. Also, will the bar associations and university law libraries, under their restricted policies, be able to join this plan? As you know, bar associations, and to some extent university law libraries, limit their interlibrary loans, and unless this policy is changed they could not join in such a cooperative venture.

There are legal obstacles to cooperation in this area. Some libraries operate under charters that preclude any type of cooperation. Also, there may be instances of tax supported institutions that are not permitted to use funds derived from taxes for any enterprise located outside the state or even the city or county to which they belong.

However, all laws and rules can be changed. The Midwest Inter-Library Center has members in at least eight different states, and most of them are tax supported. Yet, it appears that each member has been legally able to contribute to the center's support.

Financial problems are more difficult to solve than legal problems, but funds may be available from foundations to support cooperative projects. If a depository center for law libraries were to be created for the state of New York alone, the problem might not be as serious as it would be if the depository center were to take in surrounding states as well. Other problems raised at the panel discussion were: Will the bar association and other libraries alter their rules to permit interlibrary loans and support a depository center? The first question a large bar association would ask its librarian is, "How would our members benefit? What material could the supporting members of the center contribute that we do not already have in our collection?" It must be remembered that the underlying objective of cooperation is to increase a library's resources without correspondingly increasing library expenditures. One cannot blame a "self-sufficient library" for this attitude. Although the State Law Library in Albany finds itself in the fortunate position of having an almost complete law collection, both the State Librarian and the Law Librarian feel that as a tax supported institution it is our duty to make our resources as fully available as possible to all other libraries in the state.

There is no doubt that depository centers are feasible once the problems are resolved, and they do prevent unnecessary duplication of large topical sets and of seldom used material. They also cut down the cost of expensive shelf space, and they enable each library to give more satisfactory service to its patrons, whatever its financial resources may be. It is a plan worth exploring on a local, state or regional basis.

In summing up my part of this panel, I feel that I should mention two more aspects which bear directly on the problem. One is the crying need for a compilation of standards information for law library architecture, supplies and equipment. If this was available it would cut down costs for consultants' fees. Law library standards could take the form of a publication of compiled information gathered by the several law libraries. The other phase of the general problem I would like to mention, is discussed in "Electric Revolution in Legal Research" by George J. Lewis, published in the *Illinois Bar Journal*, April, 1959. In his introduction the author states:

> The basic tools used by lawyers in plying their necessary trade have not changed substantially since the middle ages. Even in the presence of an endless maze of case-decisions, a vast wilderness of statutes and a jungle of administrative law, the lawyer is still content to perform his tasks with a pick and shovel. In a world bursting with technological innovation and advance, the legal profession continues plodding on in an unimaginative way, peculiar to itself and the draft horse.

On page 682 of the article the author explains his plan:

> Briefly, the plan would work as follows: After proper indexing and condensation, legal material of every description would be introduced to an electronic brain and stored on magnetic tapes. An attorney would simply notify personnel in charge of the machine's operations at the Electronic Legal-Data Processing Center of a particular problem or problems on which a research report was

desired. Upon instructions to do so, the machine would electronically sort through all the applicable federal and state statutes, state court cases of the region or the entire United States, administrative regulations, law review articles and other authorities. A high speed printer connected to the Brain would then print out legal briefs of these authorities at a rate of 24,000 words per minute, selecting only those materials pertinent to the case or problem. The final product would be a comprehensive research report on the problem submitted, complete with condensed briefs of cases and proper citations.

The answer to the problem of effective cooperation among us does not lie in science alone—the Electronic Brain, teletype, microfilming and all other scientific aids which I have mentioned. These are only some of the tools which we can use. The real answer lies within each one of us. It is the sincere willingness to realize that not one of us, whether the librarian of the greatest law library in the world or of a law collection of a few volumes, is sufficient unto himself. We all have something to contribute to the others in the group.

In closing, and to paraphrase the whole concept of cooperation, a profession to be worthy of the name must inculcate in each member a strong sense of the special obligations that are attached to his calling. All that he does must evidence a dedication not merely to a specific assignment but to the enduring ideals of his vocation.

CHAIRMAN MORSE: Thank you, Mr. Breuer. On the subject of cataloging we are faced with a shortage of trained personnel. It seems to me that the problem of hiring a cataloger and a cataloging staff is getting to a point where it is serious. I am not aware of the existence of an appreciable number of prepared catalogers, and our budgets are such that we can't afford some of the salaries which are being requested. What are we going to do about it?

On the national level I don't believe we can do very much. I think our point of beginning may be on a sectional level. Of course, if you are fortunate enough to be in a large area like New York City, there might be closer cooperation in the cataloging field than in locations which are more isolated.

The subject of cataloging in source has been introduced. By "cataloging in source" we are thinking of a card —would you call it a facsimile card?

MR. BREUER: It is a printed facsimile. It appears inside of a book opposite the title page.

CHAIRMAN MORSE: In order to participate in a project such as this, we would have to cooperate with publishers. We would have to ask them for basic information to get us started. What is the reaction to this?

MISS JANE HAMMOND: I am familiar with a cataloging in source project which was completed this year. It involved one thousand titles. The publisher sent the material to the Library of Congress where it was processed and returned in page proof form within twenty-four hours. The final results were included in the books, on the reverse of the title pages. The idea is that eventually a library will be able to reproduce its cards from books.

This is a beginning of cataloging in source. Opinions and reactions are now being sought. If anyone has strong feelings on the matter,

they should communicate them now.

CHAIRMAN MORSE: Was the party involved a law publisher?

MISS HAMMOND: Something like two hundred publishers participated, although I think the finest cooperation came from a small publisher. Mrs. Holbrook said she received some material from the University Press.

CHAIRMAN MORSE: Mrs. Holbrook, would you talk on that subject?

MRS. FRANCES KARR HOLBROOK: We have received about five books since the beginning of the cataloging in source project. Supposedly the material can be copied by Xerox or some other photographing process, but the publisher does not always print the information in the shape of a catalog card. We noted a couple that were not usable.

As far as subject headings are concerned, you have the same problem that is created by LC cards. Even if you use LC subject headings, the headings on the cards are not much more than a subject guide. You can't always say, "This is it," and hand over the work to a typist. The occasions where this is possible are so few that I don't think we catalogers will be out of our jobs tomorrow.

MR. FORREST S. DRUMMOND: During the year I received an announcement of one of the pilot projects in this area which has been approved by the Council of Library Resources, using Ford Foundation money. It is rather elaborately outlined and is to be followed up with a comprehensive report. I feel sure that, ultimately, librarians will have a thoroughly considered report of the feasibility of this. However, as far as I know, the work is not primarily directed towards legal material. It will cover general material.

MRS. HOLBROOK: I should judge that it will cover general literature.

MR. DRUMMOND: It is a general library project.

MR. BREUER: A complete bibliography of the publications of the Council of Library Resources under the Ford Foundation grant may be found in the Council's Annual Report for 1957/58. In it also is a description of the accomplishments and future plans for cataloging in source.

CHAIRMAN MORSE: Mr. Sargeant of the W. H. Anderson Company.

MR. E. P. SARGEANT: Would it be of any help if publishers placed information as to author, title and subject matter on the inside covers of advertising brochures? The descriptions could be in the form of 3" x 5" cards.

CHAIRMAN MORSE: We would appreciate this material in a brochure, but would it be possible to supply us with actual cards? They could be handily filed for reference and cataloging purposes. The Macmillan Company has been doing this for the past few years.

MR. BREUER: We need the price on these cards also. I don't buy books, I requisition them. Purchases have to be approved by the State Librarian, and then the order goes to a central ordering system. I can't tell you how much money we waste trying to find out the price of some publications. We don't permit an order to go out without knowing how much a book costs.

(A lengthy discussion ensued concerning the collation information

which librarians would like to see on the proposed information cards. It was agreed that they should contain author, title, subject matter, edition, date, number of pages, name of publisher and price. It was also agreed that this information would be more helpful on cards rather than on the inside front cover of brochures, although there was no objection to them being published in both sources.

Mr. William Scott proposed that the Committee on Classification and Cataloging be requested to prepare sample cards for the benefit of publishers. No action was taken on this.)

CHAIRMAN MORSE: The meeting is adjourned. Thank you.

(Whereupon, at 4:50 o'clock, the session was adjourned.)

INTERNATIONAL ASSOCIATION OF LAW LIBRARIES ORGANIZATION MEETING

(The minutes of this meeting were not recorded. The following summary of activities was prepared by Dr. William R. Roalfe, Librarian, Northwestern University Law Library, the presiding officer during the session—Ed.)

A meeting to consider the creation of an International Association of Law Libraries, which was sponsored by the American Association of Law Libraries, was held at the Association of the Bar of the City of New York on June 24, 1959 at 3:00 P.M. William R. Roalfe, Chairman of the Preparatory Committee, was elected temporary Chairman for the meeting, and Mrs. Meira Pimsleur, of the Columbia University Law Library, was elected temporary Secretary.

The delegates in attendance, who numbered about sixty persons, were welcomed by Mr. Dudley B. Bonsal, President of the Association of the Bar of the City of New York. Mr. Roalfe introduced the members of the Preparatory Committee, representatives of other international organizations and delegates from abroad, and made an explanatory statement concerning the work of the Preparatory Committee. Mr. K. Howard Drake, Secretary and Librarian of the Institute of Advanced Legal Studies of the University of London, addressed the gathering on the topic: "Some of the Constructive Things an International Association of Law Libraries May Do." Among the undertakings to which Mr. Drake called attention were: (1) the role of the Association headquarters as a source of information, (2) encouragement of the exchange of law librarians, (3) the preparation of annotated bibliographies, (4) the development of publications concerned with the field, (5) the exchange of publications and (6) cooperation with other organizations.

Following a brief discussion the persons present voted to create a new organization under the name "International Association of Law Libraries," adopted a Constitution submitted by the Preparatory Committee, and elected William R. Roalfe President and K. Howard Drake Vice-President. After further discussion, the President was authorized to appoint a Nominating Committee to select and submit names for the offices of Secretary, and Treasurer and for the four members of the Board of Directors which, under the Constitution, are elected by the membership.

Upon adjournment of the formal meeting, the delegates were the guests of the Association of the Bar of the City of New York at an informal reception in the headquarters of that organization.

ANNUAL BANQUET

Wednesday Evening
June 24

The annual banquet was held in the Grand Ballroom of the Hotel Commodore. Seated at the head table were: Mr. Hobart Yates and Mr. W. A. Davies of the West Publishing Company; Mr. Harrison R. MacDonald; Miss Helen Hargrave; Mrs. Marian G. Gallagher; President Ervin H. Pollack; The Honorable Harrison Tweed, President, The American Law Institute; President-elect Frances Farmer; Miss Helen A. Snook; Dr. Miles O. Price; Mr. and Mrs. Dennis A. Dooley; and Miss Doris R. Fenneberg.

*President Pollack introduced the Toastmaster, Dr. Miles O. Price, who presented the honored guests and the speaker, The Honorable Harrison Tweed. Mr. Tweed addressed the group concerning "Continuing Legal Education as a Librarian's Problem."**

SECOND GENERAL SESSION

Thursday, June 25

The closing session convened at 9:30 o'clock, President Ervin H. Pollack presiding.

PRESIDENT POLLACK: Good morning, ladies and gentlemen.

Our first report will be that of the Law Library Journal Committee; Mrs. Marian G. Gallagher is the Chairman.

(Mrs. Gallagher introduced Miss Lois Peterson, Editor of the "Law Library Journal.")

PRESIDENT POLLACK: The report of the Committee on Index to Legal Periodicals will be given by the Chairman, Mr. Forrest S. Drummond.

MR. DRUMMOND: I won't go into my written annual report except to say a word about the financial picture of the *Index*.

The Treasurer reported yesterday that we realized a high net from the H. W. Wilson Company last year. One of the reasons for this is that the Wilson Company has been most conservative in submitting amounts to be reserved for the cost of the present three-year cumulation. Don't harbor an idea we are going to realize an extra $4,000 every year. Printing expenses have gone up, and we have increased the amount of our coverage. We may even come close to running in the red by next July. However, these things generally even out over the three-year periods. I feel quite confident the *Index* will always enjoy a sound status.

The Committee met at the H. W. Wilson Company the day before yesterday. We were fortunate in having K. Howard Drake join us so he could observe the Wilson plan and glean ideas for the new index to foreign legal periodicals.

Several items were on our meeting agenda. The Assistant Editor of the *Index* is resigning. Her job will not

* Lack of space prevents publication of Mr. Tweed's address here. It will appear in a forthcoming issue of the *Journal*—Ed.

be filled by a new assistant editor but by an "editorial assistant." In other words, we will not have two law school graduates working on the *Index* in the future. The Editor, Miss Flaherty, will be the only professional employee connected with the editorial phase of the publication.

Improvements in indexing methods in connection with the use of stamp-out forms were discussed. These innovations are mentioned in my annual report. Also considered was the fact that during the past year, there was a growth in the contents of a number of legal periodicals. Ten percent more material was published in these vehicles which required about a 20 percent increase in the number of entries in the *Index*.

All of these things will affect our financial picture. However, last year the Committee and the Executive Board approved a 20 percent hike in our subscription rate. Benefit from this action has not been fully realized as yet. There are only two billing periods during the year. The increase has been effective for only one such term.

The Committee voted to allow full treatment in the indexing of annual surveys. We added many additional surveys and institutes to our coverage last year, some of which were not dealt with as fully as others. It was decided to index all of them completely in the future.

The question of a change in our cover design was introduced, and the Wilson Company is going to give us some suggestions soon. They are redesigning many of the covers of their own indexes. Ours has remained the same for a long time. If they come up with something attractive, we will probably adopt it.

The largest question considered was the problem of reproducing our out-of-print material. You may not know it, but the first nine three-year cumulative volumes are out-of-print. While the demand for this material is not heavy, we feel we have a duty to new libraries and to old subscribers whose copies are wearing out, to make replacements possible.

It has been suggested we cumulate these back cumulations. This issue has been with us for many years now. I remember that the first time I reported it was before World War II. Mr. Wilson estimated then we could cumulate the *Index* to date for $10,000. Our last estimate on such a project, as of today, was about one million dollars. It is my belief we can never accomplish this, but I am going to get the opinions of our subscribers via a questionnaire. When you receive your questionnaire, please give the matter serious thought. Consult with your deans and your patrons so we can have a considered point of view.

I would like to say that the Wilson Company has been following a trend of reducing the period of cumulation in their other publications. Those which have formerly cumulated for three-year periods are now cumulating every two years. The *Cumulative Book Index*, for instance, is now being combined at two-year intervals.

There are two reasons for this: one, covering a shorter period is cheaper; and two, it's often easier to research briefer periods. If we should cumulate our *Index*, from the beginning, a

subject such as constitutional law would occupy a great deal of space. Would you be rendering a service, or would you be making it harder to dig back?

Annual Report of the Committee on the Index to Legal Periodicals

1958–59

It is gratifying to report that on April 1, 1959, there were 1,165 subscribers to the *Index*, an increase of fifty-four subscribers over April 1, 1958.

The *Index* was in the black financially for the period covered by this report—the cash payment received from the H. W. Wilson Company being larger than anticipated due to the use of a more economical format and some method changes. The financial statement of the Wilson Company is appended to this summary. Rising labor and material costs

APPENDIX
INDEX TO LEGAL PERIODICALS
Financial Statement For the Volume Year 1957–58

Income

Subscriptions (Expirations to July 1959)			$28,718.00
Sales of bound volumes			1,746.00
Advertising			70.00
Total Income			$30,534.00

Expenses

Printing by issue–			
September 1957	$ 706.39		
October	431.64		
November	385.97		
December	398.46		
January 1958 (6 mo. cumulation)	1,135.90		
February	536.93		
March	591.88		
April	422.44		
May (4 mo. cumulation)	1,016.61		
June	632.85		
July	533.74		
August 1955–July 1958 (3 year cumulation)	7,103.43	$13,896.24	
Editorial work–Re: Cumulations		1,347.38	
Postage and Express		395.49	
Stationary and Supplies		154.64	
Commissions (25% of sales–Compensation for Business Management)		7,633.50	23,427.25
Credit Balance			$ 7,106.75
Add credit from 1956–57 report			33,736.96
			$40,843.71
Less cash payment November 26, 1957			8,743.47
Credit Balance, subject to reserve			$32,100.24
Reserve for unearned subscriptions (Portion of current subscription billing having future expiration dates)			19,958.25
Cash Payment due AALL			$12,141.99

The H. W. Wilson Company
New York 52, New York
January 12, 1959

plus more indexing (an increase of 25 percent is anticipated) indicate that the coming year may not produce as favorable a financial picture. However, the 20 percent increase in subscription rates, which took effect during the calendar year 1959, together with increased editorial efficiency, should keep the *Index* in good shape.

The Committee voted to add to the materials indexed, a substantial list of annual legal publications, such as institutes and surveys, and this, together with an increase in the number of entries per article indexed, will bring about an increase in indexing estimated at 25 percent.

In order to augment the amount of indexing without skyrocketing editorial costs, an experiment in method improvements was conducted by Miss Flaherty at the Los Angeles County Law Library. The use of labor-saving snap-out forms and changes in methods proved successful in reducing editorial work. The new system resulting from the experiment is now being employed by the editors with substantial savings in time, making it unnecessary for the present to add clerical typing help to the staff as had been anticipated. It is expected that even more efficiency will come in the future so that the high standards of indexing can be maintained even as the quantity increases.

The Committee once more faced the problem of cumulating back volumes and the even more pressing problem of reproducing out-of-print volumes. Three-year cumulative volumes 1–9 are now out of print, and, while the demand for them is not heavy, the libraries seeking them have a real need which cannot be ignored. Figures have been obtained on the costs of reproduction, by microfilm, microcard and photo-reproduction in book form. These various methods and the cumulating of back volumes will be considered by the Committee at its meeting in New York on June 22. It is hoped that an early solution to the problems will be reached.

Respectfully submitted,

Earl C. Borgeson
Charlotte C. Dunnebacke
Libby F. Jessup
Harrison MacDonald
John Henry Merryman
Harley A. Stephenson
Forrest S. Drummond, *Chairman*

PRESIDENT POLLACK: I shall now call upon Mr. Wypyski for a report on the Statistics and Directory Committee.

MR. EUGENE M. WYPYSKI: As a result of action taken by the Executive Board, the functions of the Committee on List of Law Libraries have been enlarged to include an annual reporting of certain statistical information concerning law libraries, and, accordingly, the Committee's name has been changed to the Committee on Statistics and Directory.

Since the *Directory* was not published this year, the Committee was primarily concerned with the problem of considering the type of statistical material to be reported in the future. We intend to recommend a system of statistical standardization of accessioning methods so numerical records can be determined by uniform procedures to allow a more accurate accounting of library holdings as reported in the *Directory*. In addition, since looseleaf services, pamphlets and pocket supplements absorb a significant portion of law library budgets and staff time, and this substantial expenditure of labor and funds is rarely reflected statistically, the Committee considers that additional information concerning these expenditures should be reported. A method of reporting holdings in microcopy form is also under consideration.

The cooperation of all law librarians will be appreciated in assisting us to fulfill our added responsibilities.

PRESIDENT POLLACK: The report of the Representative to the ALA Joint Committee on the Union List of Serials will be given by Miss Bertha M. Rothe.

MISS ROTHE: I have nothing to add to my annual report aside from the

fact that the Council of National Library Resources has granted the sum of $246,000 toward the publication of a new edition of the *Union List of Serials*. Probably this edition will be ready by the end of 1962.

PRESIDENT POLLACK: For your information, we were asked to support the proposal for the revision of the *Union List of Serials*, and the Executive Board did so.

Next we will hear from the ALA Reporter on the Descriptive Rules for Law Cataloging, Dr. Werner B. Ellinger:

DR. ELLINGER: I have nothing to add to my annual statement. I might point out that my report on the cataloging of legal materials, which I presented at the Institute last year, has been distributed by the ALA Resources and Technical Services Division.

The only recommendation I made this year, I will restate here. Since the function of the Reporter, at the present time, is to maintain liaison with the ALA in matters of law cataloging code revision, and since the time table relating to the business being conducted is one over which we have no control, I suggest that the Reporter's assignment be continued for the period required to complete the code revision problems now in progress.

PRESIDENT POLLACK: Miss Sarah Leverette, the Chairman of the Committee on Scholarships, will now give her report.

MISS LEVERETTE: Before presenting the recipients with their scholarships, I should like to make a few brief remarks.

Last minute changes in scholarship awards made it necessary to file an amended report. This final report is published in the August issue of the *Law Library Journal*.

I am delighted to say that the number of scholarships is increasing steadily. This year there were fourteen awards, five of which came from new donors. Contributing for the first time were Mr. Fred B. Rothman, the W. H. Anderson Company and Mr. John R. Mara.

During the year, as the Committee worked on selections for the awards, we became more and more conscious of the great contribution these donors are making to the profession of law librarianship. I don't believe any recipient of a scholarship is so far removed from his sponsored convention or Institute that he fails to remember that "kick up the hill." Many of them owe a share of the progress they have made to inspiration gained from AALL contacts with dedicated law librarians. So the contributions so generously donated are not transcient, but are of permanent and lasting benefit, from the points of view of the profession and the individual. I hope the donors are here. Speaking for the Association and for the entire Committee, I say we are deeply grateful.

I want to congratulate the winners of this year's AALL awards. The recommendations and qualifications that were presented in behalf of these people, and the personal contacts made here, certainly attest to the fact that we have nothing to worry about as far as the future of this organization and law librarianship is concerned. They are a wonderful group.

Now I would like to present the

winners of the 1959 AALL scholarships.

Miles O. Price Scholarship: Mrs. Pat Luster Baker, Librarian, University of Tulsa Law School Library.

Fred B. Rothman Scholarships: Mr. Gasper Caso, Jr., Senior Library Assistant, Massachusetts State Library and Mr. Arthur J. Vennix, Law Librarian, University of Nebraska.

Matthew Bender Scholarships: Mrs. Patricia J. Greenfield, Assistant Law Librarian, Tulane University; Miss Judith A. Hall, Library Assistant, Pennsylvania State Library, Law Division; Mrs. Ramonda Jo Karmatz, Acting Assistant Librarian, Cromwell Library, American Bar Center; and Mrs. Jane P. Temple, Cataloger, University of Virginia Law Library.

Sidney Hill Scholarships: Mr. Frank Lukes, Librarian, Baker, McKenzie & Hightower, Chicago, Illinois and Miss Sally McCormick, Acquisitions and Serials Assistant, Law Library, St. Louis University.

W. H. Anderson Scholarship: Mrs. Mary Polk Greene, Assistant to the Director of the Library, Vanderbilt Law Library and Mr. John F. Wehlan, Legal Reference Librarian, Army Library, Legal Section.

Oceana Scholarships: Mr. K. Howard Drake, Secretary and Librarian, Institute of Advanced Legal Studies, University of London and Miss Mary L. Martin, Assistant Law Librarian, Washington College of Law, American University.

John R. Mara Scholarship, which is presented to a member of the Southwestern Chapter, goes to Mr. George E. Skinner, Law Librarian, University of Missouri.

The Committee made two recommendations: One, more publicity should be given to scholarships. Applicants this year scarcely exceeded the number of awards. Perhaps the Publicity Committee could assist in this respect. In some instances, I believe there were members who did not realize they were qualified to apply for an award. Scholarships are fairly well divided between the young members of our profession and those who are "old hands." The fact that awards are available to experienced law librarians doesn't seem to be common knowledge.

The second recommendation suggests that a deadline (January 1) be set for the receipt of scholarship donations for a given year. Any donation received after that date would be used during the following period. This recommendation was made because some gifts are received too near convention and Institute time to allow adequate time for the selection of winners.

PRESIDENT POLLACK: Mr. Marke, would you care to comment on your report, as Representative on the Council of National Association's Joint Committee on Education for Librarianship?

MR. JULIUS J. MARKE: I have very little to say.

The Joint Committee's project surveying the utilization of manpower in libraries is of concern to us. I think

this activity should be closely scrutinized by our Association since we are presently considering certification and education for law librarianship. The program will soon receive funds to carry out its work, so results will be forthcoming.

I recommend the approval of my report and the continued representation of this Association on the Joint Committee.

PRESIDENT POLLACK: We are particularly happy to have a representative of the Library of Congress with us this morning to give us a progress report on the Anglo-American law classification under development by that great Library.

Most of you know that the K Classification program relating to law has been in abeyance for some time. We are delighted that it will be reactivated within the framework of Anglo-American law. We are looking forward, not only to the results, but to the eventual implementation and publication of the K Classification by the Library of Congress.

We are especially grateful that Mr. Lewis C. Coffin, who is the Associate Director of the Processing Department of LC, is able to be with us. It gives me great pleasure to welcome you, Mr. Coffin.

MR. COFFIN: Thank you, President Pollack.

SPECIAL REPORT ON THE PROGRESS OF THE ANGLO-AMERICAN LAW CLASSIFICATION UNDER DEVELOPMENT BY THE LIBRARY OF CONGRESS

The progress of Class K in the Library of Congress has been reported from time to time at your annual meetings and is recorded in the annual reports of the Librarian of Congress. The Library has issued preliminary outlines, in the form of working papers, for several foreign legal systems, including Modern German Law, Roman Law, the History of German Law, Canon Law, the Law of China and the Law of Japan. There is also a working paper on English Law and, most recently, one on the law of the United States, together with a survey of the classification of American law.

The sections of Class K on Chinese and Japanese laws have been applied to our collections; a system of notation was developed for them concurrently with the classification, so that Chinese and Japanese law are the first areas in which a part of Class K has actually been applied. We expect that the testing of the scheme and its notation in these systems will provide us with reliable guides to the development of the schedule as a whole.

My purpose for being here is to inform you on the progress we have made in the field which I believe is of greatest concern to most of you, namely, that of American law.

On the initiative of Miss Hargrave, Mr. Pollack and other officers of the Association, representatives of AALL and of the Library of Congress met last year with Mr. Verner Clapp, President of the Council on Library Resources. As a result of several meetings, the Library of Congress received a grant from the Council which enabled us to invite an advisory committee on the classification of Anglo-American law to work with us.

One of the chief difficulties, as you are no doubt aware, of developing a

library classification for Anglo-American law comparable to the rest of our classification, is the absence of a traditional and commonly accepted classification of the law itself. The Advisory Committee is to assist and guide us in our attempt to create a systematic classification for Anglo-American law that lends itself to integration with our classification as a whole.

We believe the Committee's deliberations will lay the groundwork for what we hope will be the next phase of the project, that is, the final development of a schedule. For this phase, substantial additional foundation support will have to be sought.

As a point of departure for the Committee's work, Dr. Ellinger has written, and we have recently distributed, two working papers in addition to the preliminary scheme for English law which was issued earlier in the series. One of them is a background paper, a historical analysis of the attempts on the part of the legal profession and individual scholars to organize the body of the common law according to a systematic classification. This survey persuades us that these individual attempts are irreconcilable with one another.

In spite of the absence of a consensus on the organization of the concepts of law, we believe that a systematic classification of its literature can be developed. Treatises and monographs have fallen into well-defined subject areas by familiar modes of treatment, which, to a large extent, correspond to the academic curriculum; and it should be quite possible to identify the various subject areas and particular topics that are represented in legal literature and bring them into a rational relationship.

Since the purpose of this classification is the organization of legal literature for convenient retrieval, it is concerned with the law as it might be or should have been presented as an exposition of the rules of law and of legal relationships. For this reason, logic must be tempered with pragmatism. This approach is set forth in more detail in the introduction to Working Paper No. 9 and the Paper itself.

The advisers to the Library on the Committee that has been formed are specialists in the field of law and of legal classification. They include individuals who were nominated, at our request, by your Association, the Association of American Law Schools and the American Law Institute.

From the AALL are Arthur A. Charpentier, Miles O. Price and Mortimer Schwartz.

From the Association of American Law Schools and the American Law Institute are, respectively, Professors Judson F. Falknor and Warren A. Seavey of the New York University School of Law.

Members of the Library of Congress staff serving as members or consultants on the Committee are Messrs. Rutherford D. Rogers, Chief Assistant Librarian; Francis Dwyer, Associate Law Librarian; and from the Subject Cataloging Division, the Chief, Assistant Chief and Senior Subject Cataloger in Law, Messrs. Richard Angell, Leo La Montagne and Werner Ellinger.

I had hoped to report to you the results of the deliberations of a conference of the Committee that was

scheduled for the latter part of May. Unfortunately, because of the inability of a number of members to attend a meeting at that time, it had to be cancelled. We are now making a new schedule, and have invited President Pollack and President-elect Farmer to attend the first meeting, believing it would be helpful to the Library and the Association for them to take part in the discussions which will launch the project.

In conclusion, may I express again the Library's appreciation of the Association's helpfulness to us on many occasions over the years in the development of Class K. We look forward confidently to making substantial progress, with the Advisory Committee's assistance, in this new phase of the enterprise.

MR. POLLACK: Thank you very much, Mr. Coffin.

Mrs. Frances Holbrook has a resolution to read.

MRS. HOLBROOK: I shall read the resolution, after which I will make a motion for its adoption:

WHEREAS, increasingly in recent years American law libraries have felt the need of a book-classification scheme with which to organize the continuously developing and diversifying literature of the law so as not only to assist them in arranging their collections and catalogs, but also to make these collections, through such arrangement, more effective for legal searches and inquiries, at the same time introducing a certain amount of desirable—because generally known and used—standardization into the shelf-arrangement of law libraries; and

WHEREAS, the especial merits for library work generally of the Library of Congress book-classification scheme consist in the facts that (a) this scheme is developed and maintained currently for a great collection of books, and the results of such development are made promptly available to other libraries who are thus provided with a plan of ample proportions for orderly and meaningful growth; and (b) this scheme is currently applied by the Library of Congress to a large proportion of all books in which other American libraries are interested, and the results of such application are made promptly available to all who may be interested through the Library of Congress catalog cards and the other publications which contain the results of Library of Congress cataloging; and

WHEREAS, hitherto the Library of Congress has not extended its book-classification scheme to the literature of the law, with the consequence that law libraries are still deprived of the benefits which libraries generally derive from the scheme as developed from other subjects; and

WHEREAS, the Librarian of Congress has, in view of the circumstances, agreed to extend the Library of Congress book-classification scheme to legal literature, with the primary view of its application to the law collections of the Library of Congress, but with the immediate consequences that the benefits of such a scheme would be made available to law libraries in similar manner as the benefits of the scheme, as developed for other subjects, are now made available to libraries generally; and

WHEREAS, the Librarian of Congress has agreed, in view of the special interest and needs of the American Association of Law Libraries, to commence such extension with a view to its application to the literature of Anglo-American law; and

WHEREAS, the Librarian of Congress has convoked, for the purpose of consulting with him and the other responsible officers of the Library of Congress, in the extension of the Library of Congress book-classification scheme to Anglo-American law, a committee in which the American Association of Law Libraries is represented; now then

BE IT RESOLVED: That the American Association of Law Libraries, in its 52nd Annual Conference assembled, do and hereby does applaud the action taken by the Librarian of Congress for extending the benefits of the Library of Congress book-classification scheme to law libraries through the extension of the scheme to the literature of the law commencing with Anglo-American law; and be it further

RESOLVED: That the Association do and

hereby does express its gratitude to the Librarian of Congress for his action in this matter, do and hereby does offer its cooperation, to the full extent of its ability, to assist in the execution of the extension which he has undertaken; and the Secretary of the Association be and hereby is instructed to send a copy of this Resolution to the Librarian of Congress and to send other copies to the Chairman of the Joint Committee on the Library of Congress and to the Chairman of the Subcommittee on the Library of each of the Houses of Congress and to the Chairman of the Appropriation Committees of each of the Houses of Congress.

Mr. President, I move that this resolution be adopted.

(The resolution was adopted.)

MR. COFFIN: I would like to say for the record that this resolution, this support you are giving us, is unsolicited by the Library of Congress. I notice that it is to be sent to the House of Representatives and to the Senate, and of course, government agencies do not lobby.

PRESIDENT POLLACK: Thank you, Mr. Coffin.

We will now hear the report of the Auditing Committee.

MR. HARRISON R. MACDONALD: The Auditing Committee, consisting of Dennis A. Dooley and myself, has examined the records and accounts of the Treasurer of the Association and find they agree with her financial report. We find that everything is in good order. An audit by a certified public accountant will be made before the records and accounts are placed in the hands of the new treasurer.

PRESIDENT POLLACK: We now proceed to the report of the Elections Committee. Mr. Francis B. Waters is the Chairman.

MR. WATERS: Mr. President, members of the Association, the Committee on Elections is pleased to announce the results of the balloting for the officers and the member of the Executive Board.

For President-elect: Miss Helen A. Snook,

For Secretary: Miss Doris R. Fenneberg,

For Treasurer: Mr. William D. Murphy, and

For Member of the Executive Board: Mr. Ernest H. Breuer.

A total of 465 ballots were received, seventeen of which were declared invalid because they lacked either the name or address, or both, of the voting members. In addition to the seventeen invalid ballots, twenty-four ballots were inconclusive as to a choice between the two candidates for the opening on the Executive Board. Nineteen voted for both candidates, and five ballots failed to contain votes for either candidate.

PRESIDENT POLLACK: On Monday morning, we read the Board's recommendations for life membership in the Association regarding those who have retired recently or are retiring from the library profession. At that time we indicated that the matter would be submitted to the membership for consideration this morning. Now, I should like to present the list to the Secretary. She will read it and make the necessary motion for its adoption.

MISS DORIS R. FENNEBERG: Percy A. Hogan, University of Missouri Law Library; Lucille Holland, Department of the Navy, Office of the Judge Advocate General Law Library; Anna M. Ryan, New York Supreme Court Library, Buffalo; Mark H. Wight, Washington State Law Library; Margaret

D. Stevens, Barnes, Hickam, Pantzer & Boyd, Indianapolis; Viola M. Allen, Dayton Law Library Association; Dorothy F. Bidwell, University of Connecticut Law Library; and Ann Trittipo, Law Library of Congress.

I move that life membership be granted to these.

(The motion, as presented, was seconded and passed.)

PRESIDENT POLLACK: Miss Coonan, do you have anything to add to your annual report on the United States Book Exchange?

MISS MARGARET E. COONAN: My report is in the mimeographed material. However, I would like to re-emphasize the fact that the Book Exchange is at a critical point in its history, and suggest that we watch whatever develops.

PRESIDENT POLLACK: I should like to call on Miss Moody for any supplemental remarks she would care to make in connection with the exchange of duplicates.

May I make this observation? The amount of work this Committee has done is tremendous. Miss Moody has managed a prolific volume of correspondence as many of you probably know. She is to be congratulated, along with the rest of her Committee, upon the effectiveness of the group.

MISS MYRTLE A. MOODY: I would like to mention the recommendation in our report which requests the Association to authorize the Committee to assess an annual fee of one dollar from everyone participating in our program. In the past, members who have compiled lists have not been reimbursed for postage and other incidental expenses incurred. Since postage rates have gone up in the past years, we feel it is unfair to ask our contributors to carry these costs. We believe that everyone benefiting from the program should pay one dollar each year.

I recommend that the Association authorize us to take this action, and I make this in the form of a motion.

PRESIDENT POLLACK: You have heard the motion, is there a second?

(The motion, as presented, was seconded and passed.)

PRESIDENT POLLACK: May I make a motion recommending the reports given this morning be accepted as presented.

MR. FORREST S. DRUMMOND: I forgot to request that the report of the Committee on Index to Legal Periodicals, which exceeds three hundred words, be printed in full in the *Law Library Journal.*

PRESIDENT POLLACK: I will amend the motion to include the request that the full text of the annual report of the Committee on Index to Legal Periodicals be published in the *Law Library Journal.*

*(The motion, as amended, was seconded and passed.)**

PRESIDENT POLLACK: Is there any new business?

I declare the business of the Fifty-Second Annual Meeting of the American Association of Law Libraries is concluded, and I hereby adjourn this session.

CLOSING LUNCHEON SESSION
Thursday, June 25

The Closing Luncheon Session was held in the Grand Ballroom of the

* In accordance with this motion, the full report of the Committee on Index to Legal Periodicals is printed on page 438 of this issue.

Hotel Commodore. Seated at the head table were: Mr. James Kelley, Bancroft-Whitney Company and Mrs. Kelley; Mr. Ernest H. Breuer; Mrs. Marian G. Gallagher; Miss Betty Hancock; Mr. Arthur A. Charpentier; Miss Helen Newman; Mr. Dennis A. Dooley; Miss Doris R. Fenneberg; Dr. William R. Roalfe; Mr. Harrison H. MacDonald; Mr. Julius J. Marke; Mr. Eugene M. Wypyski; President Ervin H. Pollack; President-elect Frances Farmer; Miss Helen A. Snook; Mr. William D. Murphy; Dr. Miles O. Price; and Mr. Lionel Coen.

President Pollack introduced those seated at the head table and presented the following members of the Local Arrangements Committee; the Chairman, Mr. Arthur A. Charpentier; the Program Advisor, Mr. Julius J. Marke; Mr. Lionel Coen; Mrs. Majorie S. Coleman; Mr. Jack S. Ellenberger; Mr. Peter Q. Hern; Mr. J. Myron Jacobstein; Mrs. Fannie J. Klein; Mrs. Beatrice S. McDermott; Miss Mary Nolan; Mr. Lawrence H. Schmehl; Mr. Richard Sloane; Miss Virginia Walker; Mrs. Helene A. Weatherill; Mr. Jacob S. Wexler; and Mr. Eugene M. Wypyski.

It was announced that registrants to the convention totaled approximately 460—the largest attendance at an AALL meeting.

PRESIDENT POLLACK: The Executive Board feels that the AALL should recognize the outstanding contributions and dedicated services of its members to the law library profession and to this Association. This wish has been concretized, and we are going to award citations to three of our distinguished and illustrious colleagues. They will be symbolic of the appreciation shared by all for their outstanding contributions to law librarianship. We hope this will be the beginning of a long line of awards and the establishment of another fine tradition by our Association.

Helen Newman, front and center! It would be a Herculian task to summarize the contributions of Helen Newman to the AALL. They have been far too numerous for any one person to list. So, permit me to mention just a few of her outstanding services.

She served as Secretary of the AALL and Editor of the *Law Library Journal* from 1936 to 1941, as Secretary and Treasurer from 1934 to 1945 and as President from 1949 to 1950.

If Robert Taft can be described as "Mr. Republican" and Milton Berle as "Mr. Television," then surely Helen Newman should be identified as "Miss AALL." For years she was AALL. As Librarian of the Supreme Court of the United States she has helped keep our profession in the forefront, dedicated to the service of the great bastion of democracy.

Helen, it is with genuine gratitude and deep affection that we award this citation to you. May I read it, please?

> American Association of Law Libraries. Citation awarded to Helen Newman for distinguished contributions to law librarianship and for outstanding service to this Association. Signed this 25th day of June, 1959, by the Secretary and the President.

Our best wishes to you, Helen.

MISS NEWMAN: I am deeply honored and greatly touched by this. This is a very happy moment in my life.

PRESIDENT POLLACK: Bob Roalfe, as

he is informally known to us, is a peer among law librarians. His contributions to our profession cover a full page in the *Cumulative Index* to the *Law Library Journal*. To mention a few of his services to the profession: he conceived the Roalfe plan for the advancement of our group; prepared an extensive study of the libraries of the legal profession for the Survey of the Legal Profession; and has constantly struggled to improve the standard of our law school libraries. He spearheaded regional cooperation in the development of special collections; was active in the development of regional law libraries and developments in workshops; and was President of the AALL in 1935 and 1936.

Administrator par excellence of the Northwestern University Law School Library, whose sound judgment is valued; general editor of a leading treatise on legal research; professor; scholar; and gentleman, William R. Roalfe, this citation is a feeble expression of our appreciation for outstanding leadership and dedicated service to the law library profession.

Our very best wishes.

DR. ROALFE: I know of nothing more gratifying than to be so closely identified with a recognition of what Helen Newman did for this Association. After thirty years of collaboration with all of you, it is indeed heartwarming to receive this expression of appreciation. Let me say that I have always felt amply compensated by the friendships I have made and by the associations I have enjoyed and the cooperation I have received.

PRESIDENT POLLACK: A citation to Miles O. Price need not be justified. It is just another excuse to express our deep appreciation to the Dean of Law Librarians for what he has done for all of us, collectively and individually and professionally.

Miles Price is a pioneer in education for law librarianship; a fighter for improved standards for law libraries and a living wage for law librarians; a master of technical library processes; and a law library consultant extraordinary. He has been active for years in the formulation and implementation of AALL policies, through committee cooperation, operations and individual direction. He served as President of this Association from 1945 to 1946.

Dr. Price is Professor of Law and Librarian of Columbia Law School Library. He is the author of numerous books and articles, and is advisor to many law school deans on library and library personnel matters.

I take genuine pleasure and pride in awarding this citation to our challenging and considerate teacher, learned colleague and good friend, Miles O. Price.

DR. PRICE: I am reminded of the occasion when Justice Choate was asked what he would rather be if he could be immediately reincarnated into another state of being in this world. He said he would choose to be Mrs. Choate's second husband.

I agree with that sentiment wholeheartedly, but I would add this to it: If I could be reincarnated immediately, I would want to be a law librarian doing the kind of work I like to do in the company of the people I have been working with.

(Mr. Julius J. Marke, representing

a delegation of former students of Dr. Price, presented him with a check for the Miles O. Price Scholarship Award to assure its continuance and a watch to "finally give him the right time.")

PRESIDENT POLLACK: Now, the moment has come for me to lay my hand upon the gavel, which is symbolic of the authority of this office, and pass it on to my capable and attractive successor, Miss Frances Farmer. In so doing, I offer my sincere thanks to each of you—to the members of the Association, committee members and chairmen, my fellow officers and the members of the Executive Board for your cooperation and assistance during the past year. This has been a happy time for me. I could not have shared the year's activity with nicer people.

Madam President, my congratulations.

PRESIDENT FARMER: I am overwhelmed with the opportunity of serving this Association, especially after the fine expression of our acknowledgment of those who have gone ahead.

At the moment I am appalled at the amount of work that lies ahead, but I content myself with the assurance that I shall have the benefit of the advice and help of each member of this Association. I trust that if the occasion arises, you will feel free to call upon me, or write to me, as you are prompted to make recommendations or suggestions for the work of the Association. I pledge you all the effort I can put into our work during the coming year.

(President Farmer called upon Mrs. Kathleen G. Farmann, Chairman of the Committee on Resolutions, to present her report. Mrs. Farmann expressed the Association's "warmest thanks to all of our hosts" by saying "we think that New York is a wonderful town because you have made it so for us.")

PRESIDENT FARMER: I should like to ask the members of the Association to join me in acknowledging acceptance of this report by a rising acclamation.

(The members stood and applauded.)

Unless there is further business to be brought up at this time, I declare the 1959 convention of the American Association of Law Libraries adjourned.

American Association of Law Libraries
Committees and Representatives for 1959-1960

Application of Mechanical and Scientific Devices to Legal Literature

Roy M. Mersky, *General Chairman*

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Frank R. Ruzicka
Mrs. Helene A. Weatherill

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Dr. Jaroslav Jira
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Vaclav Mostecky
Mrs. Meira G. Pimsleur
Mrs. Lilly M. Roberts
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Joseph L. Andrews
Forrest S. Drummond
Frances Farmer
Helen Hargrave
Mrs. Lilly M. Roberts
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INDEX TO LEGAL PERIODICALS

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Charlotte C. Dunnebacke
Harrison MacDonald
John Henry Merryman
Harley A. Stephenson
William B. Stern

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Mrs. Kathleen G. Farmann
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Dan F. Henke
Mary W. Oliver
Dorothy Salmon
Dorothy Scarborough

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Virginia Knox
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Howard L. Stebbins

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Miles O. Price
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George A. Johnston

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Term Expiring 1962
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Ervin H. Pollack

REPRESENTATIVES TO ALA

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William R. Roalfe (*Term Expiring 1961*)

ALA REFERENCE SERVICES DIVISION, COMMITTEE ON BIBLIOGRAPHY
William B. Jeffrey, Jr.

JOINT COMMITTEE ON GOVERNMENT PUBLICATIONS OF AALL, ASSOCIATION OF RESEARCH LIBRARIES, SLA AND THE RESOURCES AND TECHNICAL SERVICE DIVISION OF ALA
John Harrison Boyles

JOINT COMMITTEE ON LIBRARIANSHIP AS A CAREER
A. Elizabeth Holt

MICROCARD JOINT COMMITTEE
Joseph L. Andrews

UNION LIST OF SERIALS JOINT COMMITTEE
Bertha Rothe

REPORTER, DESCRIPTIVE RULES OF LAW CATALOGING
Werner B. Ellinger

AMERICAN STANDARDS ASSOCIATION

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Richard Sloane

COMMITTEE Z39—LIBRARY WORK AND DOCUMENTATION
Morris Cohen

SUBCOMMITTEE ON INDEXING
Shirley Raissi

JOINT COMMITTEE ON STATE LAW INDEX
Hibernia Turbeville

COUNCIL OF NATIONAL LIBRARY ASSOCIATIONS

CNLA COUNCIL
Cyril S. McDermott (*Term Expiring 1962*)
Miles O. Price

CNLA JOINT COMMITTEES

Education for Librarianship
Julius J. Marke

United States Book Exchange
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ADVISORY COMMITTEE ON CLASSIFICATION
Arthur A. Charpentier
Miles O. Price
Mortimer D. Schwartz

PUBLIC LAW 480 PROGRAM
Julius J. Marke

LOCAL ARRANGEMENTS COMMITTEE, 1960 CONVENTION
Mrs. Margareet Andrews, *Chairman*
Howard M. Adams
Caroline Brede
Alberta V. Heagle
Ethel Kommes
Leon Liddell
Arlette Soderberg

In Memory of Matthew Bender III

Matthew Bender III, President of the Matthew Bender and Company since 1956, died on April 28, 1959, at the age of fifty-six at his home in Albany, New York, following an illness of four months.

Born in Albany, June 30, 1902, he was the only child of Matthew Bender, Jr., and Cora Worth (Cutler) Bender. He attended the Albany Academy and Yale University from which he graduated with the degree of Bachelor of Arts in 1925. After a summer in Europe, he went into the Matthew Bender was elected a Director in 1926, his first trips on the road selling was made to the West Coast with Clark Boardman ("Boardie"), who is still associated with the Company. Mr. Bender was elected a Director in 1926, Treasurer in 1927, and became Vice President in 1935.

A leading citizen of Albany, Mr. Bender was active in civic affairs. He served on the Memorial Hospital Board for a number of years and on the Board of the Boys' Club. He was President of the Board of Trustees of the Albany Academy and was a member of the Board of Trustees of the Home Savings Bank, The National Commercial Bank and Trust Company and several other organizations. He was active in the selection of scholarship students in the Albany area for the Yale Alumni Association.

Members of the American Association of Law Libraries first met Mr. Bender when he represented his Company at the Thirty-First Annual Meeting held at Cambridge, Massachusetts, in August 1936. His engaging personality won him many friends among the law librarians with whom he renewed acquaintance through the years at subsequent annual meetings. He will be greatly missed by them and by his colleagues in the law book publishing business.

He is survived by his widow, Virginia Hammond Bender, to whom he was married in Albany on May 24, 1929, and his son, Matthew Bender IV.

HELEN NEWMAN.

MEMBERSHIP NEWS

Compiled by MARY W. OLIVER, *Librarian*
University of North Carolina Law Library
Chapel Hill, N. C.

ROBERT J. FARIS, formerly cataloger at the Law Library, University of California at Los Angeles, is now Reference-Circulation Librarian at that library. He replaces Mr. Myron Fink in this position.

FRANCES H. HALL has been appointed Assistant Law Librarian at the Law Library, University of North Carolina. A graduate of the Woman's College of the University, she received her M.A. in history, M.S.L.S., and J.D. degrees from the University of North Carolina at Chapel Hill. She has recently been admitted to practice in North Carolina. Miss Hall replaces MISS CAROLINE C. HERIOT who resigned to attend law school.

DAN HENKE has recently been appointed Law Librarian at the University of California, Berkeley. A graduate of Georgetown University in 1943, he received his law degree from the same institution in 1951 and his M.L.L. from the University of Washington in 1956. He served as Information Specialist with the United States State and Commerce Departments from 1947 to 1951 and practiced law in San Antonio, Texas from 1952 to 1955. He was appointed Head of the Bureau of Law and Legislative Reference of the New Jersey State Library in 1956 and served in that capacity until assuming his present duties.

J. MYRON JACOBSTEIN, former Assistant Law Librarian at Columbia University, is now Law Librarian at the University of Colorado. A graduate of Wayne State University, he received his M.S. from Columbia University and his LL.B. from the Chicago-Kent College of Law. He was admitted to the practice of law in Illinois. From 1953 to 1955 he was Assistant Law Librarian at the University of Illinois, and in 1955 he went to Columbia University.

LEON M. LIDDELL is now Law Librarian at the University of Chicago. He received his A.B. and LL.B. from the University of Texas and his B.L.S. from the University of Chicago. A member of the Texas Bar, he practiced in Texas from 1937 to 1941. He served in the United States Army from 1941 to 1946, when he became Law Librarian at the University of Connecticut. In 1949 he became Law Librarian at the University of Minnesota.

ROY MERSKY has been appointed State Law Librarian at the Supreme Court of the State of Washington. Mr. Mersky received his B.S., his LL.B.

and his M.S. from the University of Wisconsin. He practiced law in Madison, Wisconsin from 1952 to 1954, before going to the Yale Law Library.

MORTIMER SCHWARTZ, Law Librarian at the University of Oklahoma, has been promoted to Professor of Law at that University.

AMONG OUR AUTHORS

DR. STOJAN BAYITCH, Foreign Law Librarian at the University of Miami, is the author of "Transfer of Business, a Study in Comparative Law" published in 6 *American Journal of Comparative Law* no. 2/3, 1957. It is now scheduled for publication in a Spanish adaptation under the title "Transmision de Negocios" in 11 *Boletin del Instituto de Derecho Comparado de Mexico,* no. 34, 1959. He has also published "Aliens in Florida" in 12 *University of Miami Law Review,* no. 1, 1958.

PAULINE CARLETON, Assistant Law Librarian at the University of Illinois, is the compiler of "Selected Bibliography of Legal Aspects of International Trade" published in the *University of Illinois Law Forum* for Spring, 1959 at page 427.

DORIS FENNEBERG, Law Librarian, University of Toledo, is the author of "The Rule of the Syllabus in Ohio" published in the *Ohio Bar,* volume 31, page 1105 for December 22, 1958.

TALBERT FOWLER, Law Librarian of the University of Alabama, is the author of "Browsing with Current Legal Publications" which appeared in the *Alabama Law Review,* volume 11, page 210, Fall 1958.

WILLIAM STERN, Foreign Law Librarian of the Los Angeles County Law Library, is the author of "Supreme Court Briefs in the Los Angeles County Law Library" published in the *Journal of the State Bar of California,* volume 34, page 217, for March/April 1959.

CHAPTER NEWS

The Annual Meeting of the Law Librarians of New England was held May 22–23, 1959 at Hanover, New Hampshire. The program included Dean Arthur Jensen of Dartmouth speaking on that college's Great Issues Course; Dr. Morin, Librarian at Dartmouth, who discussed the effect of this program on the library facilities; New Hampshire Senator James Cleveland; and a visit to the plant of Equity Publishing Co.

The Southeastern Chapter of the American Association of Law Libraries held its Annual Meeting June 21, 1959, immediately preceeding the Annual Meeting of the American Association of Law Libraries. A discussion of the work done on the survey of county law libraries in the Southeast was led by the President, Kate Wallach. A social hour was followed by a dinner with Professor Malcolm Talbott of Rutgers University Law School as the speaker.

The Ohio Association of Law Libraries held its Mid-Year Meeting in

Cincinnati on May 22 and 23, 1959. After a luncheon at which Mr. Myron Teitelbaum spoke on "Memory Habits," there was a general business meeting, followed by a speech "Lost Lawyers and Lost Librarians" given by Professor Lester, Law School, University of Cincinnati. A panel discussion on Law Library legislation was held; C. B. McClure of the Medina County Law Library Association presented "A Model Bookkeeping Procedure for Small County Law Libraries;" and Professor Pollack, Law Library, Ohio State University spoke on "The New Ohio State Law Library and What It Means to Other Law Libraries Throughout The State."

CHAPTER OFFICERS
1959-60

ASSOCIATION OF LAW LIBRARIES OF UPSTATE NEW YORK

(Election to be held in the fall. Officers elected will be reported in a later issue.)

CHICAGO ASSOCIATION OF LAW LIBRARIES

(Election to be held in the fall. Officers elected will be reported in a later issue.)

LAW LIBRARIANS OF NEW ENGLAND

President: Edward J. Bander (assumed office from Vice-Presidency upon resignation of Roy M. Mersky)
Vice-President: Vacant
Secretary-Treasurer: Mary A. Terpo
Directors: Philip A. Hazelton
Earl C. Borgeson

LAW LIBRARIANS SOCIETY OF WASHINGTON, D. C.

President: Mrs. Madeleine Losee
Vice-President: Marvin P. Hogan
Secretary: Eileen Murphy
Treasurer: Xenophon Smith

LAW LIBRARY ASSOCIATION OF GREATER NEW YORK

(Election to be held in the fall. Officers elected will be reported in a later issue.)

MINNESOTA CHAPTER OF AALL

President: Howard Adams
Vice-President: Arlette Soderberg
Secretary-Treasurer: Mary Hagberg

SOUTHEASTERN CHAPTER OF AALL

President: Stanley J. Bougas
Vice-President: Jeanne Tillman
Secretary-Treasurer: Mrs. Catherine Maybury

SOUTHERN CALIFORNIA ASSOCIATION OF LAW LIBRARIES

President: Muriel L. Merrell
Vice-President: Stanley Pearce
Secretary-Treasurer: Mrs. Dorothy L. Heizer

SOUTHWESTERN CHAPTER OF AALL

President: Harrison MacDonald
Vice-President: Hibernia Turbeville
Secretary-Treasurer: Mrs. Gueneth Babcock

OHIO ASSOCIATION OF LAW LIBRARIES
(Not Chartered)

(Election to be held in the fall. Officers elected will be reported in a later issue.)

LAW LIBRARY JOURNAL

AMERICAN ASSOCIATION OF LAW LIBRARIES

VOL. 52, NO. 4 NOVEMBER 1959

CLASSIFIED ADS

POSITIONS AVAILABLE

ASSISTANT LIBRARIAN, L.S. degree, experience not necessary. Air-conditioned library, 40,000 vols.: serves 700 lawyers, judges. Retirement, sick leave, vacation. Starting salary $4,200-$5,000. Apply Librarian, Akron Law Library, Court House, Akron 8, Ohio.

MALE LAW LIBRARIAN. Must have first degree in law from accredited American law school. Reply to Dean, Franklin University Law School, 40 West Long Street, Columbus, Ohio.

"LAW LIBRARIAN in America's first law school. Library school graduate with two years experience or LL.B. Opportunity for study and research. Minimum salary $4,704. Write Librarian, College of William and Mary, Williamsburg, Virginia."

SENIOR LIBRARIAN for university law library. Collection of 32,000 legal volumes. 5 day week. 1 month annual vacation. Salary range, $4080—$5640. L.S. degree and knowledge of cataloging required. Reply Advertising Manager, Box R, P. O. Box 277, Trenton 2, N. J.

LAW CATALOGER with library degree. Retirement, social security. Min. salary $4750. Opportunity for law study. Write Notre Dame Law School Library, Box 625, Notre Dame, Indiana.

LAW librarian interested in career with newly organized municipal law school. Must have first degree in law from accredited American Law School. Contact Dean, University of Akron College of Law, Akron, Ohio.

BOOKS FOR SALE

LAW BOOKS of all publishers, new & used. Library discount on new books. 75,000 law books in stock. Claitor's Book Store, 241 North St., Baton Rouge, La.

BOOK EXCHANGE

LAW LIBRARY JOURNAL scarce and out-of-print numbers are:

v. 41, No. 4 (November, 1948)
v. 47, No. 3 (August, 1954)
v. 48, No. 1 (February, 1955)
v. 50, No. 1 (February, 1957)
v. 45, No. 3 (August, 1952)
v. 48, No. 3 August, 1955)

Members who have duplicate copies of any of above numbers and who may be willing to part with them in order that the Association may sell more complete runs are requested to send them to Mrs. Bertha Moot, Cornell Law Library, Ithaca, N. Y., with the package labelled *LLJ STOCK.*

PENNSYLVANIA Session Laws, 1919-35, available free upon application to Erwin C. Surrency, Law Librarian, Temple U. School of Law, 1715 N. Broad St., Philadelphia 22, Pa. Service charge of $1.00 for every 10 books or fraction thereof for packing.

POSITIONS WANTED

WOMAN, A.B., candidate LL.B. June, 1959, library work Western Reserve Univ., assistant law librarian law school, desires law library position. Reply Judith A. Brandt, 233 Lawson Ave., Steubenville, Ohio.

MAN, 37, married, M.A. in L.S., 21 hours of law; 4½ yrs. experience in law school lib.; 4 yrs. in univ. lib. Want position in *West* or Midwest. Available January, 1960. Reply to Robert Cryder, 1008 W. Hill, Urbana, Ill.

MAN, 44, degree from accredited library school, 1957, former European lawyer with 2 years of full time paid law library experience desires position. Reply Advertising Manager, Box B, Law Library Journal, University of California, School of Law, Berkeley 4, California.

AALL ANNOUNCEMENTS

Committee on Placement

The Committee on Placement of the American Association of Law Libraries maintains a file of education-experience data concerning law library personnel for the information of law library administrators. The Committee will suggest suitable candidates for positions in law libraries, on request. Inquire of Mr. Harry Bitner, Yale Law Library, New Haven, Conn., stating the nature of the position to be filled, educational and experience requirements, and salary range. Law librarians and prospective law librarians are invited to file with the Committee. Blanks will be furnished on request to the Chairman or any Committee member.

The *Law Library Journal* will publish, free of charge, classified advertisements concerning openings and positions wanted, as a service to the law librarianship profession. This free service is offered to any law library administrator is search of personnel and to any librarianship or law student who is interested in a position in a law library.

The free advertisement may run in two consecutive issues of the *Journal*. Free advertisement text is limited to 250 typewriter spaces (approximately 6½ printed lines). Additional copy is acceptable but will be assessed at the regular rate of $1.00 per printed line. Advertisements must be submitted in duplicate to the Advertising Manager of the *Journal* in time to meet these deadlines: for the February issue, December 7; for the May issue, March 7; for the August issue, June 7; and for the November issue, September 7.

Additional information and forms for submitting copy are available from Mr. Bitner.